

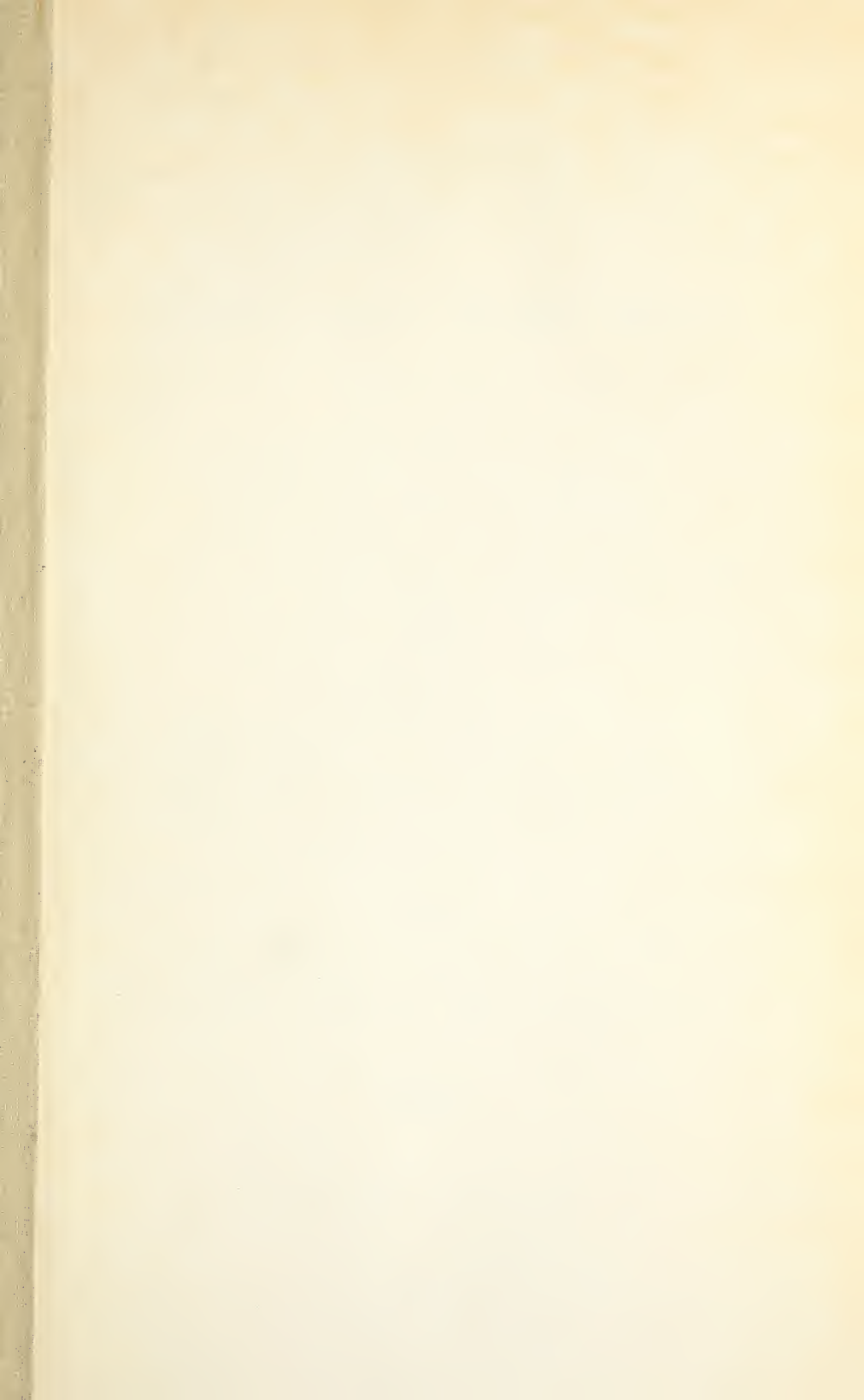
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A DIGEST OF THE MASONIC LAW
OF NORTH CAROLINA, 1841 TO 1906

By

Freemasons. North Carolina. Grand Lodge







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A DIGEST
OF THE
Masonic Law of North Carolina,
1841 to 1906,

AS CONTAINED IN THE RESOLUTIONS, EDICTS
AND DECISIONS OF THE GRAND LODGE AND
ITS SEVERAL GRAND MASTERS DURING THAT
PERIOD. ❀ ❀ ❀ ❀ ❀ ❀ ❀ ❀ ❀ ❀



COMPILED BY

ALEXANDER B. ANDREWS, JR.,

A PAST MASTER OF WILLIAM G. HILL LODGE, No. 218,

RALEIGH, N. C.



Printed by Order of the Grand Lodge.



OXFORD, N. C.:

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PAST GRAND MASTER.

A. B. ANDREWS, JR.

Raleigh, N. C., October 15, 1906.

"It is the boast of the Common Law that whatever new cases, or new questions arise, they may be settled by an application of its principles.

"So it is with Masonic Law; the Landmarks and principles as old as the Landmarks are sufficient for the decision of all of these questions."

JOSIAH H. DRUMMOND,

Past Grand Master of Maine,

Report on Foreign Correspondence, 1868.

AMERICAN HISTORY
MASSACHUSETTS

PREFACE.

TO THE MASONIC FRATERNITY OF NORTH CAROLINA:

In presenting herewith the Digest of Masonic Law of the Grand Lodge of North Carolina, it is due to the Grand Lodge that a brief resume should be given of the amount of work involved and the cause for the length of time taken in its compilation.

As a compilation of Masonic Law it is as accurate as the compiler could make it, each paragraph of Masonic law having been copied by hand by the compiler from the volume of printed Proceedings, which rendered the work very tedious and necessitated consuming a great deal of time, which might have been used in arranging a proper index digest so that the usefulness and quick handling of the digest might have been greatly improved. Such transcribing was necessary, as it was out of the question to get copies of the Proceedings from which to clip the several paragraphs and then paste them together, as several suggested the work could have been done, owing to so very many of the Proceedings being entirely out of print. As it is the Digest only goes back to 1841, as that was as far back as the bound files of the Grand Lodge could be found. Very probably the earlier Proceedings were borrowed by some zealous brother for historical purposes, who has so far omitted to return them as he intends to do.

After the work of transcribing was done, the far more important work of indexing was quite laborious. Using the card system for the purpose of making an index, it required making 2,354 cards for the 594 paragraphs, which then had to be distributed alphabetically, and then each letter arranged by subjects, and that followed by each subject being properly arranged by, as far as practicable, grouping the items in proper arrangement, omitting repetitions in titles, consolidating when practicable, arranging the index by subject matter rather than by page letters (which was not carried out under the title "Lodge", which see) and a number of other small but tedious details.

All of the labor in the compilation of this Digest up to its delivery to the printer has been done by your compiler personally, the time required for it having been odd moments taken from a busy life, in the hope that it might be a work that would be not only useful to the Grand Lodge, but also of service to the sixteen thousand Master Masons in our State, who in their lodge work are oftentimes faced with puzzling problems of Masonic law. These have very naturally been puzzling, to them, for they have perplexed several of our Grand Masters to render an intelligent decision, and upon which several Grand Masters have

disagreed. It is no small wonder then that so many and numerous questions annually come to the Grand Master for his decision, as the Masters of the three hundred and sixty lodges have not had the tools with which to work. It would have been just as well to have expected a lawyer to decide intricate and knotty questions of law correctly solely from his own reasoning, unassisted by a reference to any work on that particular subject. No wonder then that so many absurd provincial questions have been presented to the Grand Lodge upon appeal; in one instance a controversy about a dog, in another a dispute about the sale of a still, etc., all of which were returned to the lodges with the statement that they were not proper subjects of Masonic inquiry.

As a Masonic lodge is a representation of the world, so it is that the individual Masons are citizens of the world, and through their history and actions may be traced the habits and thoughts of the world as it appears through the printed Proceedings of the Grand Lodge, from which these decisions have been compiled, which any Mason will find of a great deal of interest, and this subject is now commended to some Masonic student of history as a field well worthy of investigation.

As men's thoughts are reflected in their actions, and what is written and committed to print cannot be erased or varied by spoken language, so it is in the reports and addresses we have various incidents shown up, which now seem to us of the Twentieth Century quite novel and odd.

While the earlier Proceedings could not be had, it is well known that lotteries were numerous in the latter part of the Eighteenth and early part of the Nineteenth Centuries, and besides several academies, churches and educational institutions being benefited by the proceeds of chance institutions, we also find the Masonic fraternity using such to assist some of their worthy objects. The period from 1830 to 1850 may be grouped as the time following the panic of 1837, during which so many citizens lost their small accumulations, many of whom lost with it their moral sense of obligation to pay a debt, while others emigrated to the new countries of Indiana, Alabama, Mississippi, Tennessee and other then sparsely settled sections of the Union; this is reflected in the Grand Lodge Proceedings by the exceedingly large number of lodges being delinquent in their dues and returns to the Grand Lodge. The decade of 1850 to 1860, when the great work of internal improvement was going on in our State, when the State aided in building railroads from Beaufort Harbor through New Bern, Raleigh, Hillsboro, Greensboro and Salisbury to Charlotte, a distance of 320 miles, also had assisted in building from Wilmington to the Roanoke River on the Virginia line, a distance of 162 miles, which at the time of its completion was the longest railroad in the world, under a single management, as well as assisting in numerous other railroads and works of internal improvements. Then were established the State asylums for the insane, the deaf, the dumb and the blind; then the State University was at its

ante-bellum height of prosperity; the State banks were all prosperous and their wealth aggregated many millions; this is reflected in the action of the Grand Lodge in establishing St. John's College at Oxford, as the Masonic offering for the good of the education of the State. The period of 1860 to 1880 shows the recovery from the civil war and its demoralizing effects; many unworthy men who were admitted during that tempestuous time had to be expelled for many and varied offenses; lodges surrendered their charters, some because of a dearth incident to a loss of members, others from factional fights within itself, and breaches between friends which could never be healed. This was also the beginning of many enterprises, a few of which could survive the awful panic of 1873. Then it was, during that panic, that the Masonic Temple, which the Grand Lodge so proudly looked forward to, failed so signally. In the enthusiasm a Masonic Temple Corporation had purchased a lot, which was partly paid for with a mortgage only, and begun preparations for work with no definite subscriptions in sight, but only the encouraging words of enthusiastic Masons, "Go ahead, the Grand Lodge will stand behind you," but in the panic of 1873, when the revenues fell off and the expected subscriptions from these and other enthusiastic brethren did not come in, nor were the subscriptions being paid as expected, then fell the enterprise, what little had been paid upon the lot having been eaten up by interest. With that experience of the Grand Lodge, it speaks well for the present Masonic Temple Committee that they have hesitated to begin work until they are assured that they run no risk, not only of involving the Grand Lodge in debt, but also, of not losing one cent of what the Grand Lodge has entrusted to them. This they have done in the face of almost hostile criticism which has seemed to blame them for not beginning the work. But with the failure of the home for the Grand Lodge in the panic of 1873, there came an institution which has far surpassed the hopes of its most ardent and enthusiastic friends. In 1872 was established upon the ruins and blasted hopes of St. John's College at Oxford, the Oxford Orphan Asylum, whose noble work, now caring for 270 orphan boys and girls, many of whom, without the protecting care of this institution, would grow up to become inmates of workhouses and penitentiaries, or lead lives of shame and become outcasts from society. The successful history of that institution is indelibly written upon the character of the over two thousand citizens of this and other States, whose lives of usefulness and their benefit to society and their communities, tell far more eloquently than any feeble words of man can speak.

From 1880 to 1900 we see the steady growth of Masonry in interest, in numbers and in enthusiastic brethren, interrupted as it is when the State suffered during the panic of 1893. During that period we see reflected the patriotism which led the Grand Lodge to observe the Centennial at Tarboro in 1897, and other anniversaries to be fittingly

observed. From 1900 to the present, when our State is so rapidly growing and developing, it is reflected in the erection of magnificent halls for the Order such as at Wilmington, at Winston and other places, while the plans are maturing and work is almost ready to begin upon the Grand Lodge Masonic Temple at Raleigh.

Other instances of the reflected actions of the times might be multiplied and very readable would they be, but that work is for Masonic historians, or future compilers of digest, who may have or find the time to intelligently narrate such facts, and array them in such pleasing manner as delights discerning readers.

The idea of this Digest suggested itself to the compiler in 1899, as a work that could be done at odd intervals and be of service to the Craft, and the matter was mentioned to Grand Master Noble and also Grand Master Royster, who succeeded him, although nothing was done on the subject until after the Grand Lodge meeting of 1902, when the compiler undertook the work, which has proved a far more herculean task than was anticipated, yet with it is the satisfaction that it will last for several years to come.

Said Grand Master Noble in his address in 1900:

"I would suggest that a committee of one (or three) be appointed to look up all the decisions made by the Grand Masters for the past thirty-five (35) years, and copy them into a book to be kept by the Grand Master for reference. It would be of great benefit to him in his work." (1900 Proceedings, Page 24).

The Committee on the Grand Master's Address (Past Grand Masters John W. Cotten, F. M. Moye and Walter E. Moore), recognized the value of such a work, but the time was not deemed ripe for it to be undertaken and they disposed of it as follows:

"As to the suggestion of the Grand Master that the decisions of Grand Masters for the past thirty-five years be looked up and copied in a book for the use of the Grand Masters, we would say that if the same could be done it would be a great help to Grand Masters in the discharge of their duties and very useful to Masters of Subordinate Lodges, but recommend that the same be not done now, as it would entail considerable expense on the Grand Lodge." (1900 Proceedings, Page 61).

In 1902, Grand Master B. S. Royster, with whom the matter had been talked, made the following recommendation:

"In addition to the foregoing decisions, a great many questions were asked by the brethren which were answered by referring them to some section of the Code, or a decision approved by the Grand Lodge. In this connection permit me to say that it is very difficult for the Grand Master to make decisions when he is entirely in the dark as to what the Grand Lodge has said upon similar questions. Some means ought to be provided whereby the Grand Master could have the benefit of what the Grand Lodge has decided to be the law in certain cases. The cost of a digest of the decisions of the Grand Masters and the action thereon by the Grand Lodge would not be very great and its benefit is apparent to everyone who wishes to be posted as to the law of the Order." (1902 Proceedings Page 21).

"My interest in the welfare and more extensive spread of the influence of Masonry prompt me to call your attention to one or two matters that should be considered at this session. * * * * *

"Second. The laws and decisions of the Grand Lodge should be carefully codified and published in convenient and inexpensive form. A book of this kind would be of incalculable benefit to the Craft and the Grand Masters would have something to guide them in the discharge of the duties of their office." (1902 Proceedings, Page 25).

The Committee on the Grand Master's address (Past Grand Masters John W. Cotten and F. M. Moye) recommended this work to be undertaken:

"We heartily approve the recommendation of the Grand Master as to the codification of the laws and decisions of the Grand Lodge." (1902 Proceedings, Page 79).

Action was taken that same session on this recommendation, and we find:

"Bro. R. N. Hackett introduced the following resolution in regard to the codification of the laws and decisions of the Grand Lodge, as recommended in the report of the Grand Master. On motion, the resolution was referred to the Committee on Jurisprudence:

"*Resolved*, That a commission of three be appointed to codify the laws and prepare a digest of the decisions of the Grand Masters, and report to the next Annual Communication of this Grand Lodge." (1902 Proceedings, Page 85).

The Committee on Masonic Jurisprudence (Bros. E. F. Lamb, T. B. Womack, W. B. McKoy, J. H. Fleming, S. J. Calvert, W. B. Gaither, and F. P. Hobgood, Jr.), approved the report:

"That they recommend that the Grand Master appoint a committee of three members of the Grand Lodge to prepare a digest of the decisions and laws of the Grand Lodge as a supplement to the Code. (1902 Proceedings, Page 108).

"In compliance with the above report, the Grand Master appointed the following committee to codify the decisions and laws of the Grand Lodge: T. B. Womack, P. M. Pearsall and A. B. Andrews, Jr." (1902 Proceedings, Page 109).

At the Annual Communication of 1903 the Committee made the following report:

"We, the undersigned, a Special Committee appointed by the Grand Lodge of North Carolina, A. F. & A. M., at its Communication in January, 1902, to revise and codify the Masonic law of this jurisdiction, beg leave to respectfully report that Bro. A. B. Andrews, Jr., was appointed a sub-committee to prepare the work and submit the same to the Committee for its approval, before reporting it to the Grand Lodge.

"It has been found that this requires much more labor than was originally contemplated, and hence a longer time is required to do it. Considerable progress has been made.

"We respectfully recommend that the Committee be continued for another Masonic year." (1903 Proceedings, Page 56).

In 1904 the Committee made the following report:

"Your Committee to codify the decisions of the Grand Masters beg to report that some progress has been made by the Committee (through its Sub-committee) on the work, but that it is unable to make report

now, and ask that the Committee be reduced to one, Bro. A. B. Andrews, Jr., and be continued until next Communication." (1904 Proceedings, Page 91).

In 1905 the Committee was continued upon the following report:

"Your Committee to codify the decisions of the Grand Masters beg to report that their work has not been completed, and they therefore ask that they be continued until the next Annual Communication." (1905 Proceedings, Page 99).

The haste of the brethren to have the decisions to refer to, if necessary at the expense of the completing of the compilation and indexing of the same is shown in the Grand Master's address in 1906, who stated in his address:

"Yet in this connection it might be well to suggest that the Committee appointed four years ago to codify the laws and prepare a digest of the decisions of the Grand Masters and report to the next Annual Communication of the Grand Lodge, should perform its work, and make a report, in order that in rendering decisions a Grand Master may refer to approved precedents." (1906 Proceedings, Page 21).

The Committee's report to the Grand Lodge of its work will be found in the proceedings of that same evening, where they report as follows:

"Your Special Committee, appointed to collect, codify and index the decisions of the Grand Masters and the several points of Masonic jurisprudence, as set forth in the committee reports of the Grand Lodge, beg to report the following:

"1. Beginning with 1850, all the decisions of the Grand Masters and the several points of Masonic jurisprudence have been digested and copied off in consecutive order, they being 585 separate items of Masonic law, and making a manuscript of nearly 250 pages.

"2. The work still lacks an index, which has not yet been made, owing to the press of business of your Committee, as a large part of the work of transcribing and codifying had to be done at odd times, taken from a busy life.

"3. The preparation of an index, so that it will be of use to the Fraternity, is something that should be carefully done, and this your Committee can have prepared and the manuscript delivered to the printer in sixty or ninety days, at the farthest.

"4. Your Committee would respectfully recommend that the Grand Lodge would direct the printing of fifteen hundred copies of this digest, and that three copies thereof be sent by the Grand Secretary to each lodge in this Jurisdiction, for the use of their officers, the remainder to be delivered to the Grand Secretary."

The recital of the foregoing resolutions look like the Committee took an interminable long time to prepare their work and were very slow in doing so, yet whatever is worth doing is worth doing well, if it is to be of service to anyone, and that idea has been carried out in this compilation work, even at the risk of being criticised for remissness in not doing the work, for it had to be done at odd times, and like all labors it must not displace a man from his bread-winning occupation and consume the time that others are compensating him for pecuniarily to attend to work for them. Such has been the history of the compil-

ing of this book, and the indexing was delayed beyond the estimated ninety days, as demands on my time, six weeks being occupied in the trial of one contested case, prevented my devoting the required time to this labor of love for the good of Masonry and Masonic law.

During the compiling of this monograph several times are there found references to this work having been undertaken at prior times by zealous Masons, none of which (excepting alone the Code revision by Bro. Donald M. Bain) were ever brought to a successful end, and references to some of these are not out of place here.

In the Proceedings of 1842 appears the following resolution:

"Whereas, At the communications of this Grand Lodge, various resolutions of importance to Masonry, and the workings of the Grand Lodge and its Subordinate Lodges, have been adopted; and whereas, it is important that said resolutions should be embodied for reference and information, therefore

"Resolved, That in publishing the Proceedings of the Grand Lodge at its present communication, the Secretary be required to collect from the records all resolves, etc., of the Lodge and publish the same with the Proceedings; and in case of any conflict of said resolves, that he submit the same to the decision of the Most Worshipful Grand Master."

Again in the Proceedings of 1849 appears the following:

"Bro. R. G. Rankin's resolution was called up and adopted as follows:

"Resolved, That a Committee of three be appointed to prepare a Digest of all the rules and regulations of the Grand Lodge now in force, since its organization; and that said Digest be published with the Proceedings of this communication. Bros. William J. Clarke, R. G. Rankin and C. P. Mendenhall compose that Committee." (1849 Proceedings, Page 32).

That Committee made report the succeeding year, reporting thirty nine resolutions, making five pages of the Grand Lodge Proceedings, which comprised from 1809 to 1849. (1850 Proceedings, Pages 28 to 33).

The same year Bro. W. T. Bain (Page 43) has an announcement of a proposed digest to be issued by him, which is to be a handbook of North Carolina Masonry and not a Digest of Masonic Law.

Again in 1854, the Committee on the Grand Master's address (Bros. W. K. Blake, H. I. Macon and Jos. A. Houston) reported as follows:

"Your Committee being favorably impressed with the utility of arranging a digest of the Laws and Resolutions of the Grand Lodge now in force; also of the propriety of employing some suitable person or persons to prepare an historical sketch of the Order in this State, under the administration of the successive Grand Masters, since its organization to the present time, would recommend that these subjects be referred to a special committee." (Page 20). This was referred to a committee.

In 1855 we find the following resolution. (Page 50).

Bro. W. K. Blade submitted the following resolution, which was adopted:

"Resolved, That a committee of three be appointed to prepare a

Digest of the Resolutions and Regulations of the Grand Lodge now in force, and that the Grand Secretary be instructed to have the same, together with the Constitution and By-laws of the Grand Lodge, and the form adopted, to be observed in the conduction of trials, printed in pamphlet form, and distributed among the Subordinate Lodges in the State. It is further

"Resolved, That this Committee be required to report to the Most Worshipful Grand Master at an early period after the close of this Grand Communication, who after a careful supervision, shall forward the same to the Grand Secretary for publication."

Bros. Blake, Smith and Adams are the Committee on the above resolution.

This Committee performed their work, and the compilation of the Standing Resolutions, and the Forms Governing Trials, as well as the Constitution and By-laws, were printed and distributed, they appearing as an Appendix of 31 pages to the Proceedings of that year, of which the permanent resolutions embrace six pages. Prefatory to the pamphlet appears the following letter from Grand Master P. A. Holt to Grand Secretary W. T. Bain:

"I herewith transmit you for publication the Digest of the 'Resolutions and Regulations of the Grand Lodge now in force, together with its Constitution and By-laws,' as reported by the Committee appointed for that purpose. The labor imposed on the Committee was much more onerous than was anticipated, and has consequently rendered the delay in making their report unavoidable. I have given it a careful supervision and believe it to be as correct in all particulars as it is possible, at present, to render it, and much hope the valuable Masonic Law it contains will amply compensate Subordinate Lodges, for the delay in receiving it."

In 1859 appears the following Resolution. (Page 27).

"Bro. L. S. Williams, Grand Master elect offered the following resolution, which was unanimously adopted, viz:

"Resolved, That a Committee be appointed to have the Resolutions now appended to the By-laws, together with those passed at the Sessions of 1855, '56, '57, '58 and '59 collected and printed in the Proceedings of this Grand Communication."

The Committee, under the above resolution, consisting of H. C. Lucas and A. M. Campbell immediately made report, their revisal comprising slightly more than six pages, as they culled out such as were not effective.

In 1865 (Page 16) we find the following resolution relative to a Digest of Masonic Law:

Bro. H. E. Colton introduced the following resolution:

"Resolved, That the Grand Master appoint two brethren who, with himself, shall constitute a Committee to prepare a Digest of Masonic Law in the form of questions and answers, which they shall have published for the use of the Subordinate Lodges, especially for trials, said Digest to be condensed from the works of Bros. Mackey, Mitchell and other Masonic writers."

In 1866 this Committee was continued (Page 38) and Bros. T. B. Carr and Alfred Martin appointed to act with them:

"*Resolved*, That the Resolution on Page 16 of the Proceedings of 1865 relative to the Digest of Masonic Law be continued in force during the present year."

Printed with the Proceedings of 1866 are the Constitution, By-Laws, etc., of the Grand Lodge, together with eight pages of standing Resolutions, which have been revised up to that time.

In 1867 (Page 15) the Committee reported recommending that the larger number of these resolutions be omitted, as they were not then in force.

At that same Communication, we find the work of the Committee again referred to in the following resolution. (Page 49).

By Bro. M. L. Winston:

"*Whereas*, This Grand Lodge in 1865 appointed a Committee to prepare and publish a Digest of Masonic Law, and this Committee was continued at the last Annual Communication of this Grand Lodge, and

"*Whereas*, We have published within our Masonic Jurisdiction, two Masonic journals, and as we all desire light and to have the same generally diffused, therefore,

"*Resolved*, That portions of the report of said Committee be published in the 'Masonic Sun' and the 'Square and Compass,' respectively, from time to time as the Committee may be enabled to prepare it, without expense to the Grand Lodge."

As an appendix to the Proceedings of that year is a 34 page pamphlet, prepared by the Grand Secretary or the Committee herinbefore named, which is very good and embraces decisions as well as resolutions, the Masonic law part comprising fourteen pages.

In 1868 the Committee made the following report:

"Your Committee, appointed at the communication of your Grand Body in 1865 and continued at the last Annual Communication, with additional instructions, to prepare and publish a 'Digest of Masonic Law in the form of questions and answers,' have during the past year bestowed much time and labor in the performance of the duty imposed upon them, and have in accordance with the instructions of the last communication, published portions of their report in the 'Masonic Sun' and 'Square and Compass,' respectively, from time to time, as the Committee were enabled to prepare it.

"They regret that they have as yet been enabled to perform but a comparatively small portion of the duty assigned them, and are therefore constrained to ask further time for the completion of their report." (Page 25). The report being signed by R. W. Best, Alfred Martin and Thos. B. Carr.

In 1873 this matter of the preparation of a Masonic Digest is again presented to the Grand Lodge, this time by the Grand Master, (Wor. Bro. John Nichols), who in his annual address said:

"In this connection, I will also call your attention to another matter which I consider of much importance to the Craft in this State, viz: The preparation of a Digest of the decisions of the several Grand Masters, which have not been overruled by the Grand Lodge. These decisions, until so overruled, have all the force of Masonic law in this Jurisdiction; but they are scattered through so many volumes of the Proceedings that they cannot be readily referred to even by those having complete sets,

and very few lodges have complete files of our Proceedings. The new lodges, which especially have need of the law, are unable to obtain it, and are forced to grope in darkness, or apply to the Grand Master for decisions which have been rendered again and again. A small handbook, containing the Constitution and By-laws and edicts of the Grand Lodge, with a digest of the decisions of the Grand Masters now in force, rules for conducting Masonic trials, forms useful and necessary for transacting lodge business, with a copious index, would be invaluable to the officers of our Subordinate Lodges—would greatly tend to system and uniformity, and not only save the Grand Master much labor, but would greatly contribute to the dissemination of Masonic knowledge in our midst, and thus save much valuable time to the committees of the Grand Lodge. I am confident if such work were placed in the hands of the officers of each Subordinate Lodge in the State, that the business of this Grand Lodge could be dispatched in one-half the time now required, and the remainder of the session could be most profitably spent in the exemplification of the work, and discussion of such Masonic questions as might be presented. Such work would add greatly to the dignity of this Grand Body, and delegates would return home with a sense of greater satisfaction than at present, then the larger part of the Grand Lodge is consumed in the discussion of frivolous cases, which well-informed Subordinate Lodges could easily have determined.

"For these and other reasons, not necessary to state, I recommend that the duty of preparing such a digest as that suggested be assigned either to the Committee on Masonic Jurisprudence, or to a special committee appointed for that purpose." (1873 Proceedings, Page 10.)

On this Committee was appointed Bros. R. W. Best, P. G. M., Solomon Pool and A. A. McIver. (Page 37).

This Committee made the following report at that same session of the Grand Lodge:

"Your Committee, to whom was referred so much of the M. W. Grand Master's address as relates to Masonic decisions, etc., beg leave to submit the following report:

"We heartily concur in the opinion of the Grand Master, and recommend that a special committee of three be appointed by the Grand Master, whose duty it shall be to prepare and have printed handbooks, containing the Constitution, By-laws and Edicts of the Grand Lodge, with a digest of the decisions of the Grand Masters now in force, rules for conducting Masonic trials, useful and necessary forms for the transaction of business, with copious index. Said book to be called 'Masonic Digest' 'North Carolina,' and when so published, shall be sold to the lodges and individual Masons and others at such price as shall be agreed upon by said Committee, and the proceeds paid to the Grand Treasurer. (1873 Proceedings, Page 47.) This report was laid over until the succeeding year.

Again in 1874 this subject is brought up by Grand Master John Nichols, who in his address says: (Page 13.)

"DIGEST OF MASONIC LAW.

"The necessity of a digest of the law of this Jurisdiction is manifest. Laws and decisions undigested, though important in their nature, are obsolete, from the fact that being unknown, they are unobserved by the lodges. As this subject will come before you at the present communication as unfinished business, I call your attention to that part of the Grand Secretary's report in reference to it." (Page 13.)

Said Grand Secretary Donald W. Bain, in his report:

"MASONIC DIGEST.

"Realizing the great importance, if not actual necessity, of having a digest of the law of this Jurisdiction, including the decisions in force of Grand Masters, together with the necessary various forms, it was my purpose to prepare such a work during the past year and present it to this Grand Body, but owing to its magnitude it remains unfinished. If it be the pleasure of this Grand Lodge to accept the work for publication, it will be equally my pleasure to complete and publish it after examination and endorsement by a committee that may be appointed for that purpose. The Grand Lodge would, no doubt, be reimbursed for any expense of printing, by subscription from lodges.

"Should this work not be prosecuted at the instance of the Grand Lodge, I suggest that it is necessary to have printed a new edition of the Constitution, By-laws and Standing Resolutions of this Jurisdiction, as the last edition is nearly exhausted and not equal to the demand." (Page 24).

That same year, we find the Grand Lodge adopts the following:

"Bro. W. R. Cox introduced the following resolution:

"*Resolved*, That the Grand Secretary is hereby requested to prepare the Digest of Masonic Law mentioned in his report, and that P. G. M., Wm. G. Hill, with two other brethren, be appointed a Committee to examine and revise the same, and said Committee, with the Grand Secretary, are authorized to have it published in book form on the most favorable terms, for the use of the Grand Lodge.

"The resolution was adopted, and the Grand Master (Bro. G. W. Blount) subsequently appointed Bros. W. R. Cox and J. B. Neathery to act with Bro. W. G. Hill as the Committee therein provided." (Page 57).

The work of this Committee, which was to examine the work of Bro. D. W. Bain, who compiled the Regulations and By-laws, is shown in 1875, when we have the following from the address of the Grand Master (G. W. Blount). (Page 18):

"This work is the final result of a resolution introduced several years ago, looking to the compilation of a handbook for the guide of lodges in Masonic law. I cannot better say than has Bro. Bain what the volume contains. He says in the preface: 'It embraces the Constitution and Laws of the Grand Lodge, the Ancient Constitution and Charges, all public ceremonies, and necessary blanks used by lodges.'

"It will be seen at a glance that it was a work involving a great labor, research and knowledge of Masonic law. He has from past legislation of the Grand Lodge, from its By-laws and resolutions eliminated the law as now existing, arranged the various subjects under appropriate sections, and perfectly digested the crude mass into intelligible, legal and Masonic phraseology, and with the index we may, with readiness, turn to any subject. Too high praise cannot be awarded for the faithfulness with which the work has been done, and I might say, the exquisite taste in its arrangement and order.

"It will relieve Masters and other officers of lodges of much work in the performance of their duties, and save the trouble of correspondence with the Grand Master, and to a very great extent aid the Grand Master. Let it be adopted by the Grand Lodge as the law, and then let every lodge, Master and intelligent Mason obtain copies, and make the work a handbook indeed." (Page 18).

Said Grand Secretary Bain in his report:

"MASONIC CODE.

"This work has been prepared and published under the authority given by the Grand Lodge at its last Annual Communication. Much care was taken to make it entirely reliable. It was examined by the Committee appointed by the Grand Lodge to revise it, and received their endorsement before publication. It being designed for a handbook as well as a Code of Jurisprudence, the various public ceremonies and blank forms used by lodges, and other important matter are comprised in it.

"After consultation with the Grand Master and Committee, its price was fixed at one dollar. The residue of the proceeds of its sale, after paying the expenses of its publication and distribution, will be paid into the Grand Treasury. One thousand copies were printed. It was a work of pleasure, and was cheerfully performed under a due appreciation of the need of the Fraternity in this Grand Jurisdiction of such a compilation." (Page 27).

The Committee made the following report:

"Your Committee, appointed at the last Annual Communication to examine the Code of Masonic Law, then in preparation by the Grand Secretary, beg leave to report that, upon the completion of the compilation by the Grand Secretary, he submitted the manuscript to us. Your Committee carefully read and corrected (wherever correction was deemed necessary) the entire work, and take pleasure in bearing testimony to the able and faithful manner in which the work has been performed by Bro. Bain. One thousand copies have been printed, and the price fixed at one dollar per copy—a little more than sufficient to pay expenses of compilation and publication.

"1. Your Committee recommend that the Code be adopted as the law of this Grand Lodge, and that Subordinate Lodges and Masons in this Grand Jurisdiction be required to recognize and treat it as such.

"2. That the title in said Code be considered the property of Bro. D. W. Bain, and that, after paying the expenses of publication, he be authorized to retain any further sums received by him from the sale thereof as a compensation for his services in its preparation and publication." (Page 76).

Valuable as was, and the revised edition still is, to the Masonic Craft, we see that in a few years there is another demand by the Fraternity for a digest of the "Grand Master enacted law" as well as having the written law, and at the Communication of 1880 we find Grand Master William R. Cox making the following recommendation in his annual address:

"While I rendered many decisions in regard to matters in this Jurisdiction, they have been, in the main, anticipated by rulings of my predecessors and our Masonic Code. Hence I will not encumber your records with them. It is manifest that the officers of many of our lodges either have not the facilities, or else do not seek, to familiarize themselves with such matters. I recommend, therefore, that the Committee on Masonic Jurisprudence be directed to digest the decisions of the Grand Masters, and that the Grand Secretary be instructed to publish them, with such changes of our Masonic Code as may have been made since its adoption. By furnishing the lodges with copies of this publication the correspondence of this office would be diminished, and the subordinate officers greatly benefited. The disposition usually

manifested at our Grand Communications to modify and abrogate our organic law should not be encouraged. No changes should be made unless the necessity is manifest, for it more often tends to embarrass than prove beneficial." (Page 8).

On this report, there was appointed a Committee consisting of Bros. J. C. McRae, E. A. Wright and C. S. Wooten (Page 25), which Committee reported as follows:

"The undersigned, a Committee appointed by your Most Worshipful Body upon a digest of the decisions of the Grand Masters, respectfully report the following resolution, and recommend that it be adopted:

"*Resolved*, That the Grand Secretary be directed to digest the decisions of the Grand Masters, and publish the same with such changes of our Masonic Code as may have been made since its adoption, and that the Subordinate Lodges be furnished with copies of the said publication."

The following year Bro. D. W. Bain reported the following:

"DIGEST OF DECISIONS AND EDICTS.

"The following resolution was adopted at the last Annual Communication:

"*Resolved*, That the Grand Secretary be directed to digest the decisions of the Grand Masters, and publish the same with such changes of our Masonic Code as may have been made since its adoption, and that the Subordinate Lodges be furnished with copies of said publication.

"It was further ordered that the Committee on Jurisprudence be Advisory Committee of the Grand Secretary in the preparation of the digest.

"The digest has been prepared and submitted to the Committee, by whom it has been carefully revised. It contains such decisions of the Grand Masters, and edicts of the Grand Lodge, as have not a solution in the Code, and such as are in addition to, or amendatory of, the Code." (Page 18).

[This is evidently the revisal of the Code, as the compiler has never seen such a digest.]

In 1892 (Page 50) a resolution was adopted directing the publication of a new edition of the Code, which was carried out.

At that same Communication, the permission was granted to Bro. C. F. Balnson to publish his Manual, with the approval of the Grand Master and Grand Lecturer. (Page 50).

In 1896 a resolution was adopted directing the reprinting of the Code, with a revision to bring it up to date, which resulted in the revision printed in 1897.

In this compilation, the aim has been to transcribe correctly, and properly index the several points of Masonic law, and in several instances will be found conflicting decisions, which will have to be reconciled by the Grand Master, as your Committee was not authorized to do so.

Many of the decisions are obscure in their meaning, as for instance sometimes the word "candidate" is used almost indiscriminately by a Grand Master and may mean "petitioner for the degrees," "petitioner

for affiliation" or "petitioner for advancement," and quite a number of them should be re-written. Your compiler took the liberty of re-writing a few of them, as they were too long to copy without culling down what was written, and the same was done by omitting the names of any persons or lodges in the compilation, as the Grand Lodge desired simply a record of the principle of Masonic law laid down and approved by the Grand Lodge in years past.

It is with regret that I announce that this work does not go back of 1841 (and omits 1843 as the Proceedings could not be had) yet it is the intention of your compiler at some future date to begin a revision of this work, and at that time he hopes to have access to a library containing a full set of the Proceedings of the Grand Lodge of North Carolina, at which time this will be made complete, as well as a good deal of what is herein contained being made more readable.

With the hope that this may lessen the work of the Grand Masters, and also assist Masters of Lodges to decide questions presented to them, in which the compiler has had experience, this work is presented to the Craft.

Fraternally,

A. B. ANDREWS, JR.

DIGEST.

1. *Resolved*, That the Grand Master be requested to direct the Grand Secretary to lay before him all the communications received during the recess of the Grand Lodge, in due time, previous to Annual Communication of this Grand Lodge such abstracts therefrom as he may deem proper for their consideration. (Res. Dec. 21st, 1809.)

2. *Resolved*, That all Masons under the jurisdiction of the Grand Lodge, shall henceforth, at funeral solemnities, appear dressed in the badges which are peculiar to their Masonic rank. (Res. Dec. 1828.)

3. *Resolved*, That when an applicant for initiation is rejected in any Subordinate Lodge, it shall be the duty of such lodge to inform all the other lodges in the State of the same; and it shall be deemed irregular in any lodge to receive a candidate who resides nearer another lodge. [Now obsolete as to notification of rejections.] (Res. Dec. 1828.)

4. *Resolved*, That it is the sense of this Grand Lodge, that no Subordinate Lodge can try a Master on any charge brought against him during his continuance in office, he being only amenable to the Grand Lodge of the State. (Res. Dec. 1828.)

5. *Resolved*, That whenever any complaint shall be made to the Grand Master against the Master of any Subordinate Lodge for any Unmasonic conduct, by a Master Mason, it shall be his duty to appoint a committee of ——— discreet and worthy Master Masons, who shall examine and require into the truth of the charges made, after giving the Master so charged notice of the time and place of the investigation, who shall report to the Grand Master the result

of the proceedings of such investigation; and if they shall report that the charges are true, the Grand Master shall forward the report to a neighboring lodge, which shall be authorized to proceed to pass such sentence upon said Master as is just and conformable to the usages of Masonry. [Changed as to any but Grand Lodge trying a Master.] (Res. Dec. 1829.)

6. *Resolved*, That on complaint being made to the M. W. Grand Master, against the Master of a Subordinate Lodge, for Unmasonic conduct, the Grand Master may order the said Master to be tried by the members of his lodge, and shall appoint a brother of skill and prudence to preside at the trial, who shall exercise all the powers of Master of the said lodge until the former Master shall be reinstated, or a new one regularly appointed. [Is now entirely different.] (Res. Dec. 1829.)

7. *Resolved further*, That incase the Master be convicted of the charges preferred against him, he shall stand suspended until the Regular Communication of the Grand Lodge. (Res. Dec. 1829.)

8. That the Grand Lodge feel it a duty, which they owe to themselves, as well as to the whole Masonic fraternity, to declare while its individual are left to the free unmolested enjoyment of their sentiments, upon the various subjects connected with religion and politics, and the right to judge of men and their actions; they hereby, most solemnly declare, that Masonic bodies have not the right to connect the institution with the sectarian or parties views of either: that any attempt thereat, is a gross innovation upon these principles, which among God and correct Masons, are universally acknowledged and should be practiced upon. (Res. Dec. 1835.)

8a. *Resolved*, That the Grand Lodge do at this time, as they have hitherto done, declare to the world, that the object of their associations and motives for continuing therein are founded upon the principles of Brotherly Love,

Relief and Truth. They disclaim the right of Masons to inflict corporal punishments and acknowledge no other right to enforce from its members than reprimand, suspension and expulsion.

9. *Resolved*, That whereas various errors and informalities have crept into the ceremonies of many of the Subordinate Lodges of the State, thereby creating material discrepancies in the mode of working in different lodges, which ought not to exist; Be it therefore resolved, That the Grand Master appoint one or more Grand Lecturers, whose duty it shall be, to visit the several Subordinate Lodges of this State, and establish a more uniform working of the same, according to the ancient customs and usages of Free Masons. (Res. Dec. 1837.)

10. *Resolved*, That from and after this time, the price of dispensation, granted by this Grand Lodge or by the Grand Master, be five dollars, and that the price of a charter be ten dollars, and that the same be received by the Grand Secretary when he delivers over the dispensation or charter. [Now dispensation is ten, and charter twenty dollars.] (Res. Dec. 1837.)

11. *Resolved further*, That the Grand Secretary be entitled to retain out of the monies received for every dispensation or charter hereafter granted by this Grand Lodge or by the Grand Master, one dollar for his fee for making up and filling out his form; and that he pay balance over to the Grand Treasurer of the Grand Lodge. (Res. Dec. 1837.)

12. *Resolved further*, That a price of a diploma granted by this Lodge or by the officers thereof, shall be five dollars; and that the same shall accrue to, and be a part of the perquisites of, Grand Secretary. *Resolved further*, That the Grand Secretary have dispensations, charters and diplomas printed from time to time, as they may be needed, and that the cost of the same be paid out of the funds of the Grand Lodge.

13. *Resolved*, That the said Grand Lecturers, shall attend the meetings of the Grand Lodge, and in the recess of said meetings, shall lecture on the first three degrees in Masonry. (Res. Dec. 1838.)

14. *Resolved*, That from and after the adjournment of this Grand Lodge, it shall be discretionary with the several Subordinate Lodges of this State, to establish any ratio of fees they may think proper, for conferring the several degrees of Entered Apprentice, Fellow Craft and Master Mason; provided the same shall not be less than the rate fixed by the Grand Lodge at its last Annual Communication. (Res. Dec. 1839.)

15. *Resolved*, That Grand Secretary be directed to get together copies of the proceedings of the Grand Lodge for as many years as he can collect; and that he have them stitched together in three volumes, with a copy of the Constitution in each volume; and that the same shall be preserved by the Grand Secretary for the use of the Grand Lodge. (Res. Dec. 1840.)

16. *Resolved*, That it shall from this time forth, be the duty of the Grand Treasurer, at each Annual Communication of the Grand Lodge, to file with the Grand Secretary a statement of the amount of monies and other funds of the Grand Lodge in his hands, which statement the Grand Secretary shall file among his papers, and preserve for the use of the Grand Lodge. (Res. Dec. 1840.)

17. *Resolved*, That the M. W. Grand Master be requested to appoint a general Lecturer, suitable and qualified for the station, whose duty it shall be to attend the Grand Lodge when in session; to perfect himself in the lectures, as recommended by the National Convention; to co-operate with the other Grand Lecturers, and to visit any Subordinate Lodge requiring his services, provided such lodge afford him reasonable compensation. (Res. Dec. 1844.)

18. *Resolved*, That hereafter the Committee of Foreign

Communications and Proceedings of Grand Lodges be required to make their report at the meeting of the Grand Lodge next succeeding their appointment. (Res. Dec. 1847.)

19. *Resolved*, That Brother L. L. Stephenson's work be received as the work of the Craft in this State, and that the Subordinate Lodges conform thereto. (Res. Dec. 1849.)

20. *Resolved*, That hereafter the election of the Grand Officers, shall take place the second night of each Annual Communication. (Res. Dec. 1850.)

21. *Resolved*, That it shall be the duty of the Grand Tyler to take charge of the apparel, furniture and other effects of the Grand Lodge, and preserve the same. (1841. Res. 13.)

22. We therefore recommend that the above views be communicated to the Grand Steward, and that he regulate himself accordingly; and that the Subordinate Lodges under the jurisdiction of this Grand Lodge, be recommended to discontinue the use of such refreshments, and that we, as well as they, employ our minds in the elevating pursuits of the Masonry, and so conduct ourselves, both within and without the lodge, that "our good be not evil spoken of." (1842. Res. 19.)

23. *Whereas*, It is believed that the By-laws of some of the Subordinate Lodges, under the jurisdiction of this Grand Lodge, require expulsion from the right and privileges of Masonry, for a neglect to attend the meetings of said lodge, or for omission or refusal to pay the dues that may be required: and whereas in the opinion of this Grand Lodge, such punishment is wholly disproportionate to the offence: Be it therefore,

[1] *Resolved*, That all the Subordinate Lodges under the jurisdiction of this Grand Lodge, which may have any provision incorporated in their By-laws be requested to alter or abolish it.

[2] *Resolved*, That in the opinion of this Grand Lodge,

no expulsion from the rights and privileges of the Masonry ought to take place, but for gross misdemeanor as a Mason, or for some heinous and disgraceful crime.

[3] *Resolved*, That in all cases of expulsion of any member or Mason, hereafter, from the rights and privileges of Masonry, the cause for such expulsions shall be stated in the communications made to the Subordinate Lodges and in the returns to this Grand Lodge. (1842. Res. 22.)

24. *Whereas*, Great regularity and culpable negligence is manifested by many of the Subordinate Lodges, in omitting to make their annual returns and to pay their contributions to the funds of the Grand Lodge. Be it therefore,

[1] *Resolved*, That hereafter no lodge shall be entitled to a representative in this Grand Lodge, unless by special permission, until the returns are made and filed with the Grand Secretary and all arrearages of dues fully paid up.

[2] *And be it further resolved*, That if any lodge under the jurisdiction of this Grand Lodge shall hereafter neglect or refrain from making their returns and paying their dues for two years, it shall be the duty of the Grand Secretary to inform them that they are under censure for such omission, and unless they appear and show cause to the contrary, their charter and jewels and other effects shall be forfeited to the Grand Lodge; and the Grand Master is hereby directed to appoint an agent to take charge of the same for the benefit of the Grand Lodge, to be disposed of as they may hereafter direct. (1842. Res. 22.)

25. *Whereas*, At the communications of this Grand Lodge various resolutions of importance to Masonry, and the workings of the Grand Lodge, and its Subordinate Lodges have been adopted; and whereas, it is important that said resolutions should be embodied for reference and information; therefore,

Resolved, That in publishing the proceedings of the Grand Lodge, at its present Annual Communication, the Secretary be required to collect from the records all resolves, etc. of the Lodge, and publish the same with the proceed-

ings: and in case of any conflict of said resolves, that he submit the same to the decision of the Most Worshipped Grand Master. (1842. Res. 26.)

26. *Resolved*, That the Subordinate Lodges be, and they are hereby instructed to write the names in full of all persons, in their returns to the Grand Lodge, who have been admitted, initiated, passed, raised, withdrawn, died, suspended, expelled or rejected in their lodges since their last return, that they may be published with the proceedings of the Grand Lodge, so that the Subordinate Lodges under the jurisdiction of this Grand Lodge may thereby be informed of the names of any brother or brothers who may be under Masonic censure, and of the names of applicants who have been rejected at sister lodges, and that the Secretaries in each and everyone of the Subordinate Lodges under the jurisdiction of this Grand Lodge, be and they are hereby directed to inform all adjacent sister lodges of the name or names of all applicants who have been rejected at these several lodges; and the names of all persons who may be suspended, expelled, immediately on their rejection, suspension or expulsion. [Now changed by Code as to notice.] (1841. Res. 31.)

27. *Resolved*, That the Grand Master be requested to direct the Grand Secretary to lay before him all the communications received during the recess of the Grand Lodge, in due time, previous to the Annual Communication of this Grand Lodge, so that the Grand Master may lay before this Grand Lodge such abstracts therefrom as he may deem proper for their consideration. (1842. Res. 33.)

28. The Committee beg leave to report that they can discover no justifiable grounds upon which to recommend the adoption of the resolution as to the propriety and expediency of the Grand Lodge empowering the Subordinate Lodges to confer the Past Master's degree; on the contrary, the researches of the Committee have only strengthened them in the conclusion to which they have arrived.

The Committee will not try your patience by entering

into a labored argument to prove the impropriety and inexpediency of the measure proposed, but will content themselves by simply stating the grounds of their objection which must be evident to every one who has taken the higher degrees of Masonry:—

1st. It is inexpedient, because it is competent for any Past Master, with suitable assistance, to qualify and install the Master elect of any lodge, who thus duly installed, himself becomes qualified to install his successor. But the power of a Past Master, in conferring the degree extends not beyond what is here set forth. The degree of Past Master pertains to the Chair alone; and so far as the Blue Lodge is concerned, can only be conferred on whoever is regularly elected to that seat.

2nd. Royal Arch Chapters are recognized as legally constituted Masonic bodies, and this degree is embraced within their charters; to transfer it to the Blue Lodges, would be an unjustifiable infringement of the rights of the Chapters, and have a tendency to bring the Lodge and Chapter in collision.

3rd. The last and strongest ground of objection is the fact that it would be an innovation, as clearly set forth in the Articles of Union between the Grand Lodges of York and London, which may be found in Moore's Magazine, Vol. 3, page 271, in the words following:—"Article 2 declares and pronounces, that pure Ancient Masonry consists of three degrees, and no more." This language would seem to be strong and explicit enough to settle the question.

Should it be insisted upon as a matter of expediency, it is at best but an honorary degree; and if such degree might be added, where would be the end of the innovations? Should it even be urged, the practice of other lodges, whether in our own or other countries, it is no precedent for us to follow, more especially if it be, as believed by your Committee to be, radically wrong. The Committee would therefore recommend the adoption of the following resolution:

Resolved, That this Grand Lodge deem it inexpedient and improper, if not illegal, to authorize the conferring of the Past Master's degree by the Subordinate Lodges. (1844. Rep. 15.)

29. Representative system has met with approval of nearly all the Grand Lodges which have taken any action in relation to that subject, and your Committee would recommend its adoption by your body. (1844. Res. 20.)

30. *Resolved*, That from and after this communication, there shall annually be appointed a committee, consisting of two members, whose duty it shall be to examine the records of the Grand Lodge, and see that its proceedings have been faithfully recorded by the Grand Secretary. (1844. Res. 29.)

30a. A lodge can not meet alternately at two separate places several miles apart. (1845. Dec. 32. Fanning, G. M.)

31. The Committee also recommended that the Subordinate Lodges send to this Grand Lodge the names of Masons residing in the vicinity of their lodges, who may not be members; but their names will not be published with those returned as members. (1845. Res. 37.)

32. *Resolved*, That it shall be the duty of the General Grand Lecturer, to be appointed by the Grand Master, to visit, lecture and instruct all the Subordinate Lodges in the State, and to attend to such other acquirements as may be imposed upon him by this body, or the Most Worshipful Grand Master thereof. (1845. Res. 46.)

33. *Resolved*, That the Subordinate Lodges under the jurisdiction of this Grand Lodge, be, and are hereby required to forward, in connection with their annual returns, a list of the names of transient brethren, residing within their jurisdiction, and that the Grand Secretary keep a record of such names, not to be published. (1845. Res. 49.)

34. *Therefore resolved*, That the Grand Secretary, under the direction of the Most Worshipful Grand Master,

have printed a suitable number of Grand Lodge certificates in proper form, to be furnished to Subordinate Lodges in such quantities as may be required, at 50 cts. apiece; one half of which amount shall be as a fee for the Grand Secretary, and the other half as funds of the Grand Lodge. (1845. Res. 49.)

35. Masons not members of a lodge but residing in the jurisdiction, can be called to account, suspended or expelled, for cause. (1846. Rep. 37.)

36. *Resolved*, That a belief in the authenticity of the Holy Scriptures is essential to the fulfilment of the duties required by the order of Masonry, in all Christian countries, and that a denial of the same is in conflict with the principles of our institution, calling for reprobation. (1846. Res. 55.)

37. Grand Lodge expelled a Master of a lodge for base Unmasonic conduct, which was satisfactorily known to one of the committee, he having fled to parts unknown, and beyond the limits of their notice or citation. (1847. Res. 53.)

38. *Resolved*, That hereafter that no individual shall act as proxy more than three lodges at the same time in the session of this Grand Lodge. (1848. Res. 19.)

39. *Resolved*, That from and after this Grand Communication no person shall represent any Subordinate Lodge in the Grand Lodge, other than the legal authorized officers by the Constitution, either as a delegate or as a proxy, unless he produces a written authority therefor from the lodge. (1848. Res. 45.)

40. Upon the petition for the degrees a single black-ball rejects the applicant: a second ballot may be called for to be satisfied there is no mistake. (1849. Com. Res. 16.)

41. *Resolved*, That a committee of resident brothers be appointed to examine and close, as far as practicable, the Grand Secretary's book, and report to the next Annual Communication. (1849. Res. 19.)

42. *Resolved*, That all Masters of Subordinate Lodges, shall be hereafter required, in all cases, to open a Master Mason's Lodge first, and all business connected with the lodge be transacted in the degree, except the conferring of the degrees or lectures, which appertain to the Fellow Craft or Entered Apprentice degree. (1849. Res. 25.)

43. *Resolved*, That this Grand Lodge do hereby instruct all Subordinate Lodges, working under its jurisdiction, to receive no Ancient Mason as a member, who does not produce a Certificate of Withdrawal from the lodge to which he last belonged. (1849. Res. 26.)

44. *Resolved*, That upon balloting upon a petition, the applicant is balloted for to be a Master Mason. It is, however, proper, if a brother shall desire it, to demand a second ballot upon his application for passing and raising. (1850. Res. 26.)

45. A petitioner can be kept back from the degrees of Masonry, after having taken one degree, upon evidence of improper conduct prior to initiation. A petitioner can not demand an investigation by the lodge of this conduct, but can demand it investigated by a committee out of the lodge. Although the applicant is admitted by one ballot to the degrees, a brother can demand a separate ballot upon "passing" and "raising." (1850. Res. 27.)

46. Where the By-laws of a Subordinate Lodge require the presence of two-thirds of its members to alter the By-laws, the Grand Lodge can permit their amending or changing without the presence of the two-thirds. (1850. Res. 35.)

47. Subordinate Lodges should not impose fines for non-attendance. (1851. Dec. 13. Jenkins, G. M.)

48. Subordinate Lodges do not adjourn; they are closed or called from labor to refreshment. (1851. Dec. 13. Jenkins, G. M.)

49. Subordinate Lodges cannot ballot for initiating and raising a candidate at the same meeting. (1851. Rep. 20.)

50. A petition praying merely for the E. A. degree should not be received or acted upon, it should be a petition for the benefits of Masonry. (1851. Rep. 20.)

51. Lodges should not call from labor to refreshment in the Master's degree and forthwith opening in a lower degree. (1851. Com. Report. 20.)

52. Lodges do not adjourn [they close.] (1851. Com. Report. 20.)

53. *Resolved*, That the Worshipful Grand Master be requested to set apart one day at each Grand Communication, to lecture and exemplify the work; and that he call to his aid such brethren as he thinks proper. [Now provided for by Art. 3, Sec. 7, Constitution P. 16.] (1851. Res. 26.)

54. *Resolved*, By the Grand Lodge of the State of North Carolina, that, upon the death of any Master Mason, in good standing, and who is a member of any lodge under this Jurisdiction, it shall be the duty of such Subordinate Lodge to furnish the widow or orphans of such deceased member a certificate, under the seal of the lodge, of his membership, standing and death, without any application or charge therefor. (1851. Res. 36.)

55. *Resolved*, That no lodge shall be removed without the Master's knowledge; that no motion be made for removal during the Master's absence; and that if the motion be seconded, the Master shall order summons to every individual member, specifying the business, and appointing a day for hearing and determining the affair, at least ten days before it is to take place; and the determination shall be made by the majority, provided the Master be one of that majority. But if he be of the minority against the removing, the lodge shall not be removed, unless the majority consist of full two-thirds of the members present. But if the Master refuse to direct such summons, either of the Wardens may do it; and if the Master neglect to attend on the day fixed, the Wardens may preside in determining the affair, in the manner prescribed. But they shall not in the

Master's absence, enter upon any other cause, than what is particularly mentioned in the summons. If the lodge be thus regularly ordered to be removed, the Master or Warden shall send notice thereof to the Secretary of the Grand Lodge, for publishing the same at the next communication.

No lodge shall be deemed regularly moved until the removal thereof be approved by the Grand Master, or his deputy, for the time being.

No lodge shall be regularly removed unless the laws retaining to removals be strictly complied with; and that the same may be duly ascertained, it is necessary that the books of every lodge, intended to be removed, be particularly inspected by the Grand Secretary before any removal takes place. (1851. Res. 40.)

56. *Resolved*, That any Mason of good standing as a citizen, whose lodge has become dormant, upon satisfying any lodge in his immediate neighborhood, may be entitled to become a member of such lodge, by and with their consent, upon such terms as other Masons are admitted. (1851. Res. 48.)

57. *Resolved*, 1st, That the Grand Lodge of North Carolina will not recognize but one Grand Lodge as having jurisdiction over the same territory in the United States.

Resolved, 2dly, That we recognize the Grand Lodge over which M. W. John D. Willard was elected Grand Master, and of which M. W. Oscar Coles is at present Grand Master, as the only legal Grand Lodge in the State of New York.

Resolved, 3dly, That we regard the Grand Lodge over which Isaac Phillips was elected Grand Master in June, 1849, as illegal and clandestine, and that we hereby prohibit all Masonic intercourse between the Masons of North Carolina and those who adhere to the Phillips Grand Lodge of New York.

Resolved, 4thly, That all Subordinate Lodges in this State be prohibited from receiving as visitors any Masons

from New York until satisfactory evidence is given by them that they are adherents of the Grand Lodge of which M. W. Oscar Coles is Grand Master. (1851. Rep. 70.)

58. *Resolved*, That the Grand Lodge prohibit all Masons under its jurisdiction from visiting Pythagoras Lodge in New York City, or from having any Masonic communication with its members.

That no member of the Pythagoras Lodge in New York City, shall be permitted to enter any lodge under this Jurisdiction, or receive any of the benefits of Masonry.

That no Mason made under the jurisdiction of the Grand Lodge of Hamburg, or hailing from any lodge under her jurisdiction, shall be recognized as a Mason; nor shall he receive any of the benefits or protections of Masonry of North Carolina.

That no German Mason hailing from the Grand Lodge of Hamburg, who may be already in this State, shall henceforth be regarded as such, unless he has already become affiliated with some lodge under this jurisdiction. (1851. Rep. 78.)

59. *Resolved*, That the action of the body styling itself the Supreme Council, 33d Degree, Scottish Rite, of the Southern Jurisdiction of the United States, in establishing lodges of the Scottish Rite, within the jurisdiction of the Grand Lodge of Louisiana, is reprehensible in the extreme.

That the Grand Lodge of North Carolina recognize but one body in Louisiana, bearing the power to organize lodges of any rite, whatever, and that body is the Grand Lodge of Louisiana, of which M. W. John Gedge is at present Grand Master.

That we hold all other bodies, claiming such power, whether in Louisiana or elsewhere, as illegal and dangerous to the Masonic fraternity.

That we hold all lodges organized by the body claiming to be the Supreme Council, 33d, Southern Jurisdiction of the United States, as clandestine, and all those in any manner connected with them, as clandestine Masons, and

Masonic communications or intercourse is hereby forbidden between the Masons of North Carolina and all such lodges and members thereof.

That we hold as clandestine Masons, all who recognize said lodges, established by the self-styled Supreme Council, 33d, Southern Jurisdiction, as regular lodges; and that we hold as clandestine, all Masons who recognize more than one body, having the power to establish lodges, of any name, denomination or rite whatever, in any state or territory in the United States, where a regular Grand Lodge exists; and all Masonic intercourse with such Masons is hereby prohibited. (1851. Rep. 90.)

60. It is Unmasonic to appeal from a Master's decision, and where an appeal is taken, the Master should never permit it to be put to the lodge. The only appeal that can be taken is directly to the Grand Lodge, as the Master is amenable to it, not to his lodge, for his official acts. (1851. Rep. 101.)

61. Voting in lodges should be by the show of hands or by ball ballots, and not by ayes and nays. (1851. Rep. 101.)

62. No lodge has the right to try its Master; for the Master being amenable only to the Grand Lodge, the lodge of which he is a member, and over which he presides, has no jurisdiction over his actions, no more than it would over the actions of a member of another lodge. If a lodge finds itself oppressed or wronged by its Master, in any way, or if it is, in any way, dissatisfied with him—if he does not choose to resign—the only remedy left is to make complaint to the Grand Master, who, upon sufficient cause shown, will order him to suspend his official duties, and appear before the Grand Lodge at its next communication, to answer the charges made against him. (1851. Rep. 101.)

63. A Grand Lodge has sole and exclusive jurisdiction over the state, territory or district in which it is located, and no two lodges can have concurrent jurisdiction in the same territory, excepting only where there is no Grand

Lodge; and there all Grand Lodges have concurrent jurisdiction. A Subordinate Lodge has exclusive jurisdiction over all persons or candidates residing nearer its place of meeting than any other; and should any lodge receive a candidate, residing nearer some other lodge, and confer the degrees upon him, the fees therefor are forfeited to the lodge nearest to where the candidate resides. (1851. Rep. 102.)

64. If a Subordinate Lodge expel a member, he stands merely suspended until the next session of the Grand Lodge, to which body the action of the Subordinate Lodge must be sent up, when, if the action below is confirmed, the individual stands expelled; but if the decision below be reversed, then the individual continues a Mason, in as full standing as before, with the exception that the Grand Lodge, by reversing the decision below, cannot compel it to again receive him as a member; he must stand expelled, as to that lodge, until it sees fit to reinstate him. Much has been said by the expulsion from one Masonic body, upon the individual membership in other bodies, of a higher or lower grade. We look upon Craft Masonry, or Blue Lodge Masonry, as all the pure Masonry in the world, and he who denies this proposition, must admit that Masonry is a progressive and accumulative science. If a Mason be expelled from a Chapter or Council, or Encampment, that, of itself, does not affect his standing in a lodge, in the least. (1851. Rep. 102.)

65. Maimed candidates are admitted in North Carolina, under the same instructions and requirements as other candidates, provided their loss or infirmity will not prevent them from making full proficiency in Masonry. (1851. Rep. 106.)

66. Grand Master has the right to make Masons at sight. (1851. Rep. 106.) [This is reversed by Art. XII, Sec. 7, By-laws, P. 42.—A. B. A., Jr.]

67. Lodges working under dispensation possess only limited powers, and for a limited time. We have often

heard the question asked, What is dispensation? What does it mean? We think we can answer the question satisfactorily. A dispensation to open a lodge signifies that some of the old forms and usages have been omitted, for the time being; or, in other words, they have been dispensed with. Originally no lodges were opened without charters from the Grand Lodge; and, as these only issue when the Grand Lodge was in session, it often worked great inconvenience to brethren. To remedy this inconvenience the charter was dispensed with for a time, and the lodge opened upon the private permission of the Grand Lodge, and worked until the next session of the Grand Lodge, at which time a charter must be obtained, for it could be dispensed with no longer. Lodges under dispensation cannot elect officers; the Grand Master appoints a Master and Wardens, and the Master appoints the other officers. They can make Masons, and that is all the Masonic work they can do; for, as they are working under the express directions of the Grand Master, they can do nothing that his written authority does not permit them to do. They cannot, strictly speaking, make charitable donations from their lodge funds, for the funds of a lodge under dispensation, together with everything appertaining to it, belong to the Grand Lodge. We know that these rules are violated repeatedly, and that many lodges under dispensation take as much authority and power as chartered lodges. We have even heard and known of lodges under dispensation holding public celebrations; but it is all wrong. To speak in the language of the world, they are apprenticed to the trade, and during their apprenticeship they have nothing to do but to work at their trade, and that is to make Masons. If they are successful in learning the trade, their indentures of apprenticeship are cancelled, and they at once go into business on their own responsibility. We see that many Grand Lodges permit lodges under dispensation to be represented; this is most palpably wrong; the old Grand Lodges were composed of the representatives "of all the particular lodges on record," or of "chartered lodges." Representatives to our Grand

Lodge from lodges under dispensation are invited to a seat in Grand Lodge as visiting brothers, until their work has been examined, when, if charters are granted, they are permitted to represent their lodges, and not before. (1851. Rep. 108.)

68. The Grand Master should appoint all regular or standing committees; and when special committees are to be appointed, the Grand Lodge should make the appointment; the same rule prevails in Subordinate Lodges; this we believe to be the true Masonic usage; although frequently departed from. (1851. Rep. 111.)

69. The Wardens, when acting as Master in his absence, are qualified to perform all the duties of the Master. (1851. Rep. 112.)

70. After a petition has been referred to a committee, it cannot be withdrawn. (1851. Rep. 112.)

71. The By-laws of every lodge should designate the time of the annual election of officers, and the time so designated is the only time at which an election can take place. Should any casualty occur to prevent an election at that time, the old officers must hold over for another year. If the office of Master become vacant by death, removal or otherwise, the Senior Warden succeeds to the Master's chair for the remainder of the unexpired term—the Junior Warden succeeding to the Senior Warden's office—and the office of Junior Warden must be filled *pro tempore*. In case the offices of Master and Senior Warden become vacant, the Junior Warden succeeds to the Master's chair, and fills the offices of Wardens *pro tempore*. In case the offices of Master and both Wardens become vacant, a brother who has passed the Master's chair may discharge the duties of the Master, and in case there is no Past Master in the lodge, a special dispensation from the Grand Master must be obtained, empowering some Master or Past Master of a neighboring lodge to open it and hold an election. Many lodges have a clause in their By-laws stating that if a vacancy should occur in any of the offices, the same may be

filled at any regular meeting thereafter. This is unconstitutional, and every lodge having such a provision in its By-laws should at once strike it out. (1851. Rep. 111.)

72. *Resolved*, That we believe it to be inconsistent with the principles of Ancient Free Masonry for any lodge to hold its regular, or any other, meeting on the Holy Sabbath, for the purpose of initiating, passing or raising a candidate, or any other business, except on funeral occasions, or cases of charity. (1852. Rep. 33.)

73. *Resolved*, That this Grand Lodge recognizes the authority of the different Grand Lodges in the United States over the jurisdiction claimed by them, and do not recognize the authority of any other body whatever, claiming jurisdiction which interferes or conflicts with theirs. (1852. Rep. 56.)

74. *Resolved*, That this Grand Lodge does not consider that "the Supreme Council of Sovereign Grand Inspectors General of the 33d Degree of the Scottish Rite," can lawfully constitute Lodges of Symbolic Masonry in the State of Louisiana, within the jurisdiction of the Grand Lodge of Louisiana. [Note.—This is not the Supreme Council Sovereign Grand Inspectors General, of the 33d Degree, Southern Masonic Jurisdiction, over which General Albert Pike and Dr. Mackey presided, but is the so-called Cerneau Rite which did establish Symbolic Lodges in the State of Louisiana.] (1852. Rep. 56.)

Resolved, That the fact that they are constituted as lodges of the Scottish Rite will make no difference. (1852. Rep. 56.)

75. *Resolved*, That lodges so constituted are not entitled to be recognized as legally constituted, and the members of such lodges, and those initiated therein, are not lawful brothers, nor entitled to visit and communicate with this Grand Lodge and its constituent lodges. (1852. Rep. 56.)

76. *Resolved*, That the practice of publishing the

names of rejected applicants for Masonic honors be discontinued by this Grand Lodge. (1852. Rep. 56.)

77. *Resolved*, That an expulsion from an Encampment (now called a Commandery) does not affect the standing of the individual in any Blue Lodge to which he may belong. (1852. Rep. 57.)

78. *Resolved*, That the constitution of this Grand Lodge be so amended that it shall read: "Whenever this Grand Lodge shall reverse or abrogate a decision of a Subordinate Lodge, expelling a brother, and shall restore him to the benefits of Masonry, he shall not thereby be restored to membership within the body from which he was expelled without its unanimous consent." (1852. Rep. 57.)

79. An election can not be held on any regular meeting to fill a vacancy, but such can be filled only at the regular election. (1853. Res. 40.)

80. A lodge can not provide that a member may be suspended for neglect of dues, as this punishment is second in degree embraced in the Masonic Code for crimes, but they may dismember for such neglect. (1853. Res. 41.)

81. A question as to the right of membership, after the expiration of the time for which a member has been suspended, having been submitted to your Committee, they are of opinion that when the time has expired the brother so suspended is entitled to all the rights and privileges that he enjoyed before his suspension, and if he was a member of the lodge by which he was suspended a ballot is not necessary to restore him to that privilege. (1853. Res. 56.)

82. *Whereas*, The Grand Lodge of the State of North Carolina has received from the Grand Lodge of New York, official information that the Grand Master of Hamburg has issued a charter to a lodge called Pythagoras Lodge, within the territorial limits of New York, without the consent and against the remonstrance of the Grand Master of the State

of New York; and whereas, The Grand Lodge of New York desires an expression of the sentiments of the general Grand Lodges of the United States in reference thereto, be it,

Resolved, That the act complained of is a gross and indecent invasion of the Masonic rights of our sister Grand Lodge, of the State of New York; that such an interference with the jurisdiction of a sister Grand Lodge, by a sister Grand Lodge, whether domestic or foreign, is highly Unmasonic, and necessarily mars the harmony of the work, and cannot be countenanced by this Grand Lodge.

Resolved, That all Masonic intercourse between this Grand Lodge and the Grand Lodge of Hamburg cease until the surrender or recision of the charter of the said Pythagoras Lodge, and that this resolution of non-intercourse embrace the said Pythagoras Lodge. (1854. Res. 49.)

83. A Mason can not be arraigned and tried for Unmasonic conduct generally. (1856. Rep. 57.)

84. A Mason under sentence of suspension can not, before expiration of the term of his suspension, be brought before the lodge for Unmasonic conduct during the term of his suspension. (1854. Rep. 57.)

85. A Mason must be arraigned and tried by the lodge, and not by a committee of the lodge. (1854. Rep. 58.)

86. Masonic trials can not be conducted while the lodge is at refreshment. (1854. Rep. 58.)

87. *Resolved*, That all lodges hereafter chartered shall be numbered according to the dates of their charters, and that, in future, numbers rendered blank by death of lodges shall not be filled. (1854. Rep. 59.)

88. *Resolved*, That the Grand Lodge recommend to the Subordinate Lodges to protect themselves from the intrusion of non-affiliating Masons, by imposing some amount for them to pay—which amount shall be discretionary with each lodge; provided, no lodge imposes a sum greater than the annual fee. (1855. Res. 53.)

89. It is not correct for a lodge By-law to provide for the vacancies in case of death, resignation or removal, to be filled at next regular meeting, which we believe to be contrary to the principles of Masonry; believing that in the case of the Master's office becoming vacant that the Senior Warden is to fill his station until the regular time of election, the Junior Warden to fill the Senior Warden's station, and the Junior Warden's station to be filled pro tem., unless by dispensation from the Most Worshipful Grand Master. (1856. Rep. 42.)

90. The accused was convicted by his lodge for having violated his word after giving it as a Master Mason, to two Master Masons, without showing justifiable reasons therefor that did not exist at the time the promise was made, to the prejudice and injury of two Master Masons. Sentence was approved. (1856. Rep. 45.)

91. In the case of a brother who was suspended from all the rights and benefits of Free Masonry for three years, upon the charge of having lost his character as a man of truth, and for having threatened to expose the secrets of Free Masonry upon being reprimanded by a brother Mason for his Unmasonic conduct, your Committee respectfully recommend that the proceeding be approved. (1856. Rep. 45.)

92. *Resolved*, That this Grand Lodge consider the words "due proficiency," used in Art. 4, Sec. 10, of the By-laws, to mean such an acquaintance with the work, lectures, signs, passwords and grips, as would enable the candidate to work his way into any lodge where he might not be known as a Mason. (1857. Res. 40.)

93. *Resolved*, That this Grand Lodge defray all the necessary expenses of the Grand Master incurred while engaged in the business of the Grand Lodge. (1857. Res. 42.)

94. It is not a Masonic offense for a brother to employ counsel to defeat the application of a Mason applying to

the county court for license to retail ardent spirits, he alleging that by such action he had been prevented from following his regular business and thereby suffered loss. Such a brother commits no Masonic offense, but the action of the party preferring charges and arraigning him was irregular and Unmasonic. (1857. Rep. 44.)

95. *Resolved*, That when an appeal is taken from the decision of any Subordinate Lodge in Masonic trials, and the decision of the lodge below is disaffirmed by reason of any technical irregularity or uniformity in their proceedings (without reference to the merits of the cause) the same shall be certified to the lodge below, and a new trial shall be had. (1857. Res. 45.)

96. *Resolved*, That the expenses of the Chairman of the Committee on Foreign Correspondence be defrayed, as in the case of the three highest officers in the lodge. (1857. Res. 49.)

97. A lodge has power to arraign and try a brother residing within their jurisdiction, although he is affiliated with another lodge in this jurisdiction. (1858. Rep. 45.)

98. *Resolved*, That when all matters in dispute between the Grand Lodge of England and that of Canada shall be settled, either by a recognition of the Grand Lodge of Canada on the part of the Grand Lodge of England, or a return of the former to her allegiance, we will be happy to recognize our brethren of that province, and to open communication with them; and that we fully concur in the report of our Grand Master concerning Masonry in Canada. (1858. Rep. 57.)

99. That it is not in the power of the Worshipful Master, at a regular meeting, to appoint a special meeting to receive and act upon a petition for the degrees. (1858. Dec. 58. Martin, G. M.)

100. A party claiming no particular place as a residence is, in my judgment, as much a sojourner, wherever he applies for the honors of Masonry, as he who hails from an

acknowledged jurisdiction would or should be considered, if he made application in any other. The one is a sojourner wherever he may apply, and the other anywhere out of his own jurisdiction. (1858. Dec. 59. Martin, G. M.)

101. Minutes of meeting of lodge should be read and approved before lodge closes, and not left open for approval at next communication. (1859. Dec. 11. Martin, G. M.)

102. Conviction by lodge of passing counterfeit money is properly sustained as Unmasonic conduct. (1859. Rep. 25.)

103. A defendant's own testimony should not be taken on his trial, yet he may, in the argument of his case, make a statement in relation to the matter, and the lodge can receive it as its members think proper, attaching more or less importance to it. (1859. Rep. 26.)

104. *Resolved*, That in the opinion of this Grand Lodge, the precedent recently adopted by some of our sister Grand Lodges, appointing a representative to attend the Annual Communications of other Grand Bodies, meets our decided commendation; that such an interchange of fraternal courtesies is eminently calculated to maintain and promote reciprocal regard and harmonious feeling, prominent characteristics which should ever exist between sister Grand Bodies.

Resolved. That the Grand Master be authorized to appoint a representative of this Grand Lodge, near the Grand Lodge of any other jurisdiction of this Union, who may indicate a willingness to reciprocate the courtesy. (1859. Res. 35.)

105. An aider or abettor cannot be held to answer a charge for a Masonic offense until the principal has first been convicted. (1859. Rep. 39.)

106. It is a Masonic offense for a member of a defunct lodge not to deliver up the property of such defunct lodge when claimed on behalf of the Grand Lodge. (1859. Rep. 39.)

107. That such brother, when summoned by the Grand Master, under the seal of the Grand Lodge, to appear at its Annual Communication is guilty of disobeying a legal summons, and was properly expelled by the Grand Lodge. (1859. Rep. 39.)

108. I would take occasion here to incidentally refer to a growing evil in our Jurisdiction.—That of inserting Masonic cards in newspapers, and prefixing Masonic emblems to all kinds of advertisements, and placing the same on various species of merchandise, as a prostitution of our noble Order to sordid and selfish ends, and would urge all Masons to discountenance a practice unworthy of men who seek our Order with a sincere desire to be serviceable to mankind. (1860. Dec. 9. Williams, G. M.)

109. A Grand Lodge having the power which charters and establishes Subordinate Lodges, and undertakes to exercise lawful jurisdiction over a given territory in which lodges are located, has the power to settle the jurisdiction of each lodge on equitable principles; and further, that the power of determining jurisdiction is not the prerogative of Subordinate Lodges, nor have they the right to initiate a person, whom they may even deem a fit and proper recipient of our favor, without considering where his residence may be. (1860. Dec. 9. Williams, G. M.)

110. *Resolved*, That hereafter the Subordinate Lodges who have suspended any member of a lodge and informed sister lodges of the same, and should afterwards reinstate the brother, they should afterwards be required to inform sister lodges that said brother has been reinstated and is in full fellowship, and entitled to all the benefits of Masonry. (1860. Res. 21.)

111. We do not deem the degree of Past Master as essential to the Master in presiding over a lodge. (1860. Rep. 24.)

112. We would recommend that all correspondence regarding jurisprudence between Subordinate Lodge mem-

bers and the Grand Master, come through the Secretary, with the seal of the lodge attached. (1860. Rep. 24.)

113. Whether a Master of a lodge, who has absconded and fled the country, can be tried at the first communication of the Grand Lodge to which the charges are preferred, your Committee submit to this Grand Lodge, though they believe in analogy to trials in Subordinate Lodges, he can be. (1860. Rep. 26.)

114. After a vote of acquittal a lodge cannot reconsider and find the brother guilty, when a number of brethren had left. No reconsideration after an acquittal can be had, unless it is to correct a mistake in fact. (1860. Rep. 26.)

115. Grand Lodge has power to suspend a Worshipful Master from his office pending investigation of charges preferred against him. (1861. Rep. 15.)

116. *Resolved*, That in the opinion of this Grand Lodge, dispensations to hold lodges might with propriety be granted to regiments of war troops; but not to troops serving for a less period of time. (1861. Rep. 17.)

117. *Resolved*, That every Mason ought to belong to some particular lodge, and comply with its By-laws and the general regulations in relation to the payment of dues and contributions to the charity funds. And any Mason who does not contribute to the funds, or belong to some lodge, is not entitled to visit a lodge, while he remains non-affiliated, or to join in procession or to relief or Masonic assistance or burial.

2nd, That nothing in the foregoing resolution shall be so construed as to prohibit any Subordinate Lodge from permitting a non-affiliated Mason to visit a lodge once. (1862. Rep. 16.)

118. I have declined to grant either of the dispensations (military lodges in regiments serving out of the State—one in South Carolina and one in Virginia) for reasons which I think are sufficiently strong, believing, in

fact, that my jurisdiction and right to establish lodges was strictly confined to the limits of North Carolina, and that my compliance with the request of the petitioners would have been an infringement upon the jurisdiction and rights of the Grand Masters of those states respectively. I know some of the Grand Masters in the Southern States differ with me on this point, and Brother Fellows, G. M. of Louisiana, exercises the prerogative to grant dispensations for opening lodges in other jurisdictions, but at present I leave this subject to be decided by an impartial judgment of the Masonic fraternity. (1863. Dec. 7. Watson, G. M.)

119. Frequent application having been made to me during the past Masonic year, in regard to one of the landmarks of the Order, I deemed it due the members of this body that I should call your attention to the same, this is, the qualification of candidates for initiation during the revolution that now exists. Many of our worthy young men have been disabled and maimed for life, and yet many of them, after returning home, have been and are still applying for admission into the lodge. We regret that those who are true and trusty, and have served their country with such fidelity, should, by such misfortune, be debarred from entering our portals and enjoying the lights which Masonry affords, but such is the nature of our institution, without a violation of one of its most important landmarks, which plainly tells us that the candidate must have "no maim or defect about his body that may render him incapable of learning the art." Thus are excluded, the blind, the deaf, the dumb, and those having but one foot, and those having but one hand, as none of them can learn and teach the rituals of the Order. This landmark being of such plain interpretation, you may think it entirely unnecessary on my part to call the attention of so intelligent a body as this to the subject, but, when considered in its true light, you, I think, will agree with me that its importance is a sufficient reason for your attention being called to the subject, hoping thereby to cause to be avoided by Subordinate Lodges an infringement of the same. (1863. Dec. 8. Watson, G. M.)

120. That they approve his declining to give dispensations to form lodges beyond the limits of North Carolina, in the army; 1st, Because it is beyond his jurisdiction, and 2nd, Because, except in extraordinary cases, they doubt the propriety of forming "traveling lodges," inasmuch as few cases can arise in which an applicant can not be initiated in a stated lodge, when at home on furlough, or before his entering the army, when the several degrees can be much more safely conferred, and the evidence much more surely preserved; and inasmuch as every facility is afforded Masons in the army for conversation and instruction, without a lodge as with it. (1863. Rep. 11.)

121. That while all our sympathy, as men, is with those who have been maimed in the service of their country, and while the benevolence of our Order reaches every human being who needs our assistance, yet we are obliged to say that the views of our Grand Master are in accordance with the ancient principles and the universal practice of our institution. (1863. Rep. 12.)

122. The Committee to whom was referred the resolution "to report to this Grand Lodge the course to be pursued by Subordinate Lodges, in receiving the petitions of candidates when absent from home in the army," beg leave to report that they have investigated the subject, and deem it only necessary to refer to Art. IV, Sec. 12, of the By-laws of this Grand Lodge for the law on the subject. The only question is, whether the absence of a man in the army, temporarily, changes his residence. The opinion of your Committee is that it does not.

Your Committee is further of the opinion that it would be unsafe and highly injurious to our institution to adopt the practice of admitting transient persons, except in strict accordance with Masonic law and usage. (1863. Rep. 16.)

123. A Mason can not petition another lodge for affiliation until he has secured a demit from the lodge to which he then belongs, for the reason that a Mason can not be a member of two lodges at the same time. (1863. Rep. 17.)

124. *Whereas*, It is the opinion of the Grand Lodge that lodges working under dispensation have no right to affiliate members; therefore,

Resolved, That all lodges who have been working under dispensation be requested to re-ballot on the petitions of all members they have received by demit during the period of such dispensation. (1864. Res. 7.)

125. *Whereas*, This Grand Lodge, by a resolution of 1861, recommended the Grand Master to issue dispensations to military lodges, and whereas, The question of jurisdiction has been admitted; therefore, be it

Resolved, That this Grand Lodge claims Masonic jurisdiction over all troops belonging to the State of North Carolina, wherever they may be.

Resolved, 2nd, That no military lodge under the jurisdiction of this Grand Lodge shall have the power to confer the degrees upon any person other than such as by the laws of North Carolina are entitled to vote in the State elections held in the army. (1864. Res. 21.)

126. Three Masons were, by their respective lodges, expelled for desertion from the army, which in the opinion of the Committee is a political and not a Masonic offense. While we, as citizens, express our entire condemnation of desertion, and deplore such conduct, whether by Masons or the profane, we would recommend that for the future, Subordinate Lodges do not attempt to deal with their members on the simple charge of desertion. "Although all the most ancient and universally received precepts of the institution inculcate obedience to the civil powers, and strictly forbid any mingling in plots or conspiracies against the peace and welfare of the nation, yet no offense against the State, which is simply political in its character, can be noticed by a lodge. Once introduce this subject into the lodges, and open the door for the introduction of politics and religion, subjects which are stringently forbidden to be introduced into Masonry, and we undermine the very foundation of our time-honored institution." (1864. Rep. 21.)

127. *Whereas*, Doubts have arisen as to the right of the Grand Master to make Masons at sight,

Be it therefore Resolved, That the decision of this Grand Lodge, at its communication of 1851, is hereby affirmed. (1865. Res. 16.)

128. *Resolved*, 1, That the Most Worshipful Grand Master be requested to correspond with the Most Worshipful Grand Master of New York in regard to the reported organization of negro lodges in North Carolina, and earnestly remonstrate against the same.

Resolved, 2, That this Grand Lodge will, and the Fraternity in North Carolina are instructed to, regard all such lodges as clandestine, and the members thereof as spurious. (1865. Rep. 21.)

129. Our relations with our sister Grand Lodges are of the most satisfactory and fraternal character. The only disturbance threatened was with the Grand Lodge of New York. At our last communication we had information, upon which we reasonably relied, that the Grand Lodge of New York had sent an emissary into the State to establish negro lodges, and that a negro lodge had been established at Newbern. I have corresponded with the Grand Master of New York, and I am happy to say that it was not so. It seems that there is a negro grand lodge in the State of New York, and that it was the negro grand lodge which had sent out the emissary. The only ground of complaint which we can have against the Grand Lodge of New York is, that she did not warn us of the existence in her midst of a negro grand lodge. The excuse for this is, as I judge from my correspondence with the Grand Master, that they regard it as "perfectly harmless." But so it is not regarded among us. Among a population so degraded and ignorant as the negro population of the South, our institution, so powerful for good when properly guarded, would be as powerful for mischief when thus abandoned. Indeed a spurious body of Masons, whether black or white, is a matter of serious alarm, ought never to be considered as "perfectly harmless"

and the Craft ought instantly to be put on their guard. And this we say, not in a spirit of acrimony, but in the freedom of friendly counsel. (1866. Dec. Reade, G. M.)

130. We have examined the proceedings of this lodge, and find them kept in a neat manner, but object to their rule of approving their minutes at a subsequent meeting. We think this should be done before the lodge closes, for many reasons which will be apparent to every brother. We find the Master's signature to the minutes wanting. (1866. Rep. 26.)

131. It is contrary to Masonic law for a lodge under dispensation to affiliate Masons, they can do nothing but make Masons. (1866. Rep. 29.)

132. We also object to the brethren using in their minutes such expressions as—"initiated into the mysteries of the Fellow Craft's degree," and others of like Unmasonic expressions. (1866. Rep. 29.)

133. We object to any lodge having every meeting as a day of election. (1866. Rep. 29.)

134. Nor do we think the approval by the members of a lodge necessary to the appointment of any committee by the Worshipful Master. (1866. Rep. 29.)

135. We also suggest that our brethren approve their proceedings on the day of their occurrence. (1866. Rep. 29.)

136. *Resolved*, That it be enjoined upon the Masters and Wardens of the Subordinate Lodges to require a more strict and faithful observance of the Constitution and By-laws of this Grand Lodge, and to see to it that Sec. 10, Art. IV, of the By-laws be strictly enforced, especially that part which declares that more than one degree shall not be conferred in the same day unless due proficiency be manifested in open lodge. (1866. Rep. 34.)

137. *Resolved*, That the Grand Lecturers be required to examine the records and proceedings of the lodges they may visit, and report in what manner these are kept and

conducted, as well as whether due obedience is paid to the Constitution, laws and teachings of Masonry. (1866. Rep. 34.)

138. *Resolved*, That the Grand Secretary and Grand Treasurer be appointed a standing committee to procure portraits of the Grand Masters of this State beginning with the year 1866, and all living Past Grand Masters whose portraits can be obtained, and the same when procured be suitably framed and hung up in the Grand Lodge Hall. (1866. Res. 38.)

139. On complaint of St. John's Lodge No. 1, of Wilmington, against Athol Lodge No. 65 and Keith Lodge No. 36 or 61, Halifax, Nova Scotia, working under the jurisdiction of the Grand Lodge of England, the Committee have made some investigations relative to this matter, and find, that in the year 1865 a vessel left the port of Wilmington, running the blockade, and in her voyage touched at Halifax, Nova Scotia, for three days. That during these three days thirteen persons aboard the blockader, whose names we know, and there were others also, but their names are not known, applied to and received from Keith Lodge No. 65 and Athol Lodge No. —, the three degrees of Ancient Craft Masonry. These thirteen men were citizens of Wilmington, N. C., residing within the jurisdiction of St. John's Lodge No. 1, of this Grand Lodge, and a majority of them had been rejected by said lodge. One of the number, in taking his degree, was so drunk that he did not go through, but he had to be helped through. A brother from this Jurisdiction objected to the proceedings as a gross violation of the jurisdiction of St. John's Lodge No. 1 and this Grand Body. The reply was, "that they worked the Scottish Rite and could do as they pleased." This action of these two Nova Scotia lodges, your Committee cannot but regard as a palpable violation of the jurisdiction of this Grand Body, and is no less a violation of the spirit and design of Masonry. Could we, for one moment, look with approval upon any lodge which would pick up

any wanderer, sojourner or straggler through the world, and clothe him in the habiliment of Masonry. Could any Mason having decent self-respect look upon the indiscriminate crowding into the Temple by mere adventurers, with anything but reprobation? * * * * *

The general rules and regulations of Masonry, the great common love of Masonry, forbid any such. For who ever heard of lodges introducing those who had no residence? These adventurers had no idea of settling in Halifax; much less did they settle. The *animus revertendi* was always present; their design was, as soon as loaded with freight, to return to Wilmington. Yet with all these lights before them, the two lodges of Halifax, N. S., clothed them with the garments of the Order and sent them back to their Wilmington brethren, saying by their actions: "These men had their residence in Wilmington, you black-balled them, they came over the water to us, we judged them and found them good and true and fit for the Temple. You judged wrongly; you of Wilmington could not see these men in their virtue and purity, but we can; and we send them back to you to rebuke you, and place material in your Temple which you had rejected." We do not wonder that the Wilmington Lodge called the attention of this Grand Body to this fact, for what lodge could view such actions without indignation. * * * * *

The action of the Masonic congress at Paris expressly laid down as a principle that petitioners for the honors of Masonry must have a fixed residence, and it does seem strange that legislation should ever have been necessary on that point. For no one at all conversant with the principles and designs of Masonry could for a moment tolerate such a practice. Did St. John's Lodge lose her jurisdiction of these men when they had left the port of Wilmington, with the design and intention of returning soon? Certainly not. Their residence was in Wilmington, and St. John's Lodge alone could entertain their petition. Whenever they had moved their residence to another place then the jurisdiction of the lodge would attach in which they had settled and

taken a fixed place of residence. And this practice of admitting sojourners has so often been prohibited by this Grand Lodge that the world is supposed to know that while she would not suffer South Carolina to receive such persons, and remonstrates to that Grand Body in a case precisely similar to this, and the Grand Lodge of South Carolina called the Subordinate Lodge to account—neither will this Grand Body suffer the Halifax lodges to do the same thing without being called to account, and this Grand Lodge entering her protest against any such proceedings. The fact that Nova Scotia is further off than South Carolina makes no difference in the principle. The decisions of this Grand Lodge, made time and again, set that matter at rest, and have surely fixed the principle that this Grand Lodge claims jurisdiction over every man within the limits of North Carolina who has a residence in the State, and that she claims that jurisdiction, no matter where the person may go, until he changes his residence. And as to the right of admitting sojourners, this Grand Lodge has never for one moment tolerated any such idea. Your Committee would only call attention to decisions of that Grand Lodge relative to these matters, as sustaining the views herein advanced by your Committee. (G. L. Pro. 1858. p. 15 and 58. G. L. Pro. 1852. p. 51, etc.) Your Committee would therefore offer the following resolutions :

Whereas, A paper writing containing information as to a violation of the jurisdiction of this Grand Body from St. John's Lodge, No. 1, Wilmington, N. C., alluded to above, has been laid before this Grand Lodge,

Therefore, be it resolved, By the Grand Lodge of North Carolina, in Grand Communication assembled, That this Grand Body views the action of Keith Lodge No. —, and Athol Lodge No. —, in the premises as violating the jurisdiction of this Grand Body, and that the action, by those Subordinate Lodges, is at variance with the fundamental principles of Masonry, and subversive of its best interests.

Resolved further, That this Grand Body direct the

Grand Secretary to transmit a copy of the foregoing resolutions to the G. L. of England. (1866. Rep. 39.)

140. We find that the brethren of ———— Lodge receive and ballot on petitions at the same meeting, which your Committee think is wholly Unmasonic. (1866. Rep. 45.)

141. Like all other lodges under dispensation, they insert and persist in saying that the lodge was opened or was closed in *due* form, which can not be true unless some grand officers were present to do so. (1866. Rep. 45.)

142. We protest against the great length of the By-laws of this lodge, re-enacting too many laws of the Grand Lodge and re-iterating many things which are as old as Masonry itself. (1866. Rep. 46.)

143. In the case of Bro. W., we find that during the year 1862 he applied to his lodge for a dimit, which was granted. For some cause he did not receive the dimit from the Secretary. In the meantime he removed from R., and was absent some time. Returning to R. in 1863 he made application to the Secretary for the dimit granted to him in 1862, but was refused on the ground that during the interim his habits and conduct had become such that the lodge was unwilling to receive him and issue the dimit ordered in 1862. The case having been brought before the Grand Lodge at its last Annual Communication, it decided that the dimit ought to be furnished him, and this was done. It is the opinion of your Committee, after a careful investigation of the matter and the hearing of testimony, that the lodge should prefer charges against Bro. W. and, if acquitted, to grant him a regular dimit. (1866. Rep. 46.)

144. Your Committee examined a communication from the W. M. of C——— Lodge, in which he sets forth that M——— Lodge has received the petition of a candidate living within the jurisdiction of C——— Lodge, and that his statement is confirmed by the W. M. of H——— Lodge. These being the facts, it is the opinion of your Committee

that M—— Lodge has committed an impropriety (it may be unintentional) and that M—— Lodge should pay the fees for initiating, passing and raising, to C—— Lodge, and make an apology for trespassing on the jurisdiction of C—— Lodge. (1866. Rep. 46.)

145. The Committee on Masonic Jurisprudence ask leave to report that they have considered the case of C—— Lodge No. —, and are of the opinion that the proceedings by which that lodge was assembled, and officers appointed, were in all respects irregular, and that the action of the W. M. of W—— Lodge No. —, in making such appointments, has exposed himself to censure of the Grand Lodge, and your Committee do recommend that all the operations of C—— Lodge be suspended by the Grand Master, until application be regularly made to him for a dispensation to elect officers. (1866. Rep. 49.)

146. The proceedings of this lodge are neatly kept, but we find many irregularities therein. They close their E. A. Lodge in "due form," consider too many cases as emergent, and are too careless, we fear, generally. One other irregularity we think too grave to be passed over in silence—the records show, time and again, that a "W. M. pro tem." opened the lodge, but fail to state whether the Junior Warden, the only officer present, called him to the chair, after having opened the lodge himself; in fact, the minutes show that their pro tem. Masters act in every instance as the lawful Master. We protest against such action. (1866. Rep. 50.)

147. Your Committee believe that there is a large majority of the lodges in this Grand Jurisdiction whose By-laws, as they now stand, have never been approved by this Grand Lodge. Having been once approved they have been amended or altered from time to time, perhaps in many important particulars, without ever having obtained the sanction of the Grand Lodge to such amendments or alterations. (1867. Rep. 16.)

148. In reference to a violation of the jurisdiction of this Grand Lodge by Keith Lodge No. 36, and Athol Lodge No. 65, Nova Scotia, we are satisfied that the Grand Lodge of England is in no way responsible for the same; but those lodges having transferred their allegiance from the Grand Lodge of Scotland to the recently constituted Grand Lodge of Nova Scotia, we recommend that the Grand Secretary be instructed to call the attention of the latter Grand Body to this subject, expressing the hope and belief that everything will be done by it, necessary and proper, to guard against like occurrences in the future. (1867. Rep. 35.)

149. Our By-laws require due proficiency, in each preceeding degree, to be manifested in open lodge, before the advancement of candidates. (1867. Rep. 35.)

150. Overture No. 1 is as follows, viz.: A man worthy and well qualified was elected to receive the degrees of Masonry, and was initiated as an E. A. He then, in the discharge of his duty, received a wound that deprived him of his right arm. Is it proper and right to pass and raise him to the sublime degree of Master Mason? Your Committee report that they are of the opinion that it is not. Such a candidate is not, in the language of the ancient Constitutions, "A perfect youth, having no maim or defect in his body that may render him incapable of being made a brother, and then a Fellow Craft in due time, etc." (1867. Rep. 35.)

151. Overture No. 2. A man applies to be initiated into the mysteries of Masonry, by petition in the usual form, except that being unable to write his name it is appended with his mark, and the Worshipful Master rejects the petition because the petitioner can not write his name. Is the reason for the rejection of the petition a proper one? The Committee report their opinion to be that this question should be answered in the affirmative. [This report was submitted to the G. L., page 38, which amended it by striking out "affirmative" and inserting "negative," so that the Committee was reversed.] (1867. Rep. 35.)

152. We recommend that the By-laws of M——— Lodge be amended in Article fifth, Section second, by striking out the words "suspended or expelled," and inserting "excluded from membership," also that Section third of the same Article be stricken out, and that Article seventh, Section first, be so amended as to allow a member to withdraw at pleasure by paying all his dues to the lodge, when in good standing. (1867. Rep. 38.)

153. Your Committee find upon examination of the resolution of the Grand Lodge, passed at its Annual Communication in 1851, that Subordinate Lodges are restricted from initiating ministers of the gospel free of charge. (1867. Rep. 43.)

154. When a brother has been expelled, and the expulsion confirmed by the Grand Lodge, he may be restored by a unanimous vote of the lodge so expelling him. (1867. Rep. 43.)

155. *Resolved*, That a copy of the Charter of this Grand Lodge, and also of the Act of Incorporation, be hereafter appended to the proceedings. (1867. Rep. 44.)

156. Reports of suspensions and expulsions made to the Grand Lodge must be accompanied by the evidence taken. (1867. Rep. 45.)

157. Q. Can a Subordinate Lodge hold the election for an officer or officers at any other meeting than that specified by the By-laws, without a dispensation from the Grand Master or his deputy?

A. No. Elections can only be held at the time prescribed in the By-laws. If any lodge shall fail to elect its officers at the time designated; for good cause shown, the Grand Master or his deputy may grant a dispensation for an election, or to fill a vacancy occurring in any elective office. (1868. Dec. 12. Best, G. M.)

158. Q. If a member of a Subordinate Lodge be suspended or expelled, and does not appeal to the Grand Lodge, is it the duty of the Secretary to notify the lodges

of such suspension or expulsion immediately, or wait until after the meeting of the Grand Lodge?

A. The By-laws of the Grand Lodge, previous to 1865, required notice of all suspensions and expulsions to be immediately transmitted to all the lodges in the State; but at the Annual Communication in 1865, the following proviso was adopted: "That if the expelled or suspended party, as the case may be, by the next regular meeting, or in one month, appeal from the decision of the lodge to the Grand Lodge, then no notices shall be sent to the Subordinate Lodges until after the final action of the G. L. in the case." Therefore, when there is no appeal in one month, notices must be sent. (1868. Dec. 12. Best, G. M.)

159. Q. Has a Subordinate Lodge the right to remit quarterly dues of ministers of the gospel?

A. No. At the Annual Communication of the Grand Lodge in 1862, the following resolution was adopted, viz.: "That every Mason ought to belong to some particular lodge, and comply with its By-laws and the general regulation in relation to the *payment of dues* and contributions to the charity fund. * * * * *" Now every set of By-laws for the government of Subordinate Lodges fixes an amount to be paid by each member quarterly, or annually, as the case may be, and the case is very conclusive to our mind that it is improper and a violation of the edict above quoted for the dues of a minister to be remitted simply because he is a minister. (1868. Dec. 12. Best, G. M.)

160. Q. Does a candidate who has been initiated, passed and raised to the sublime degree of a Master Mason, become a member of the lodge simply upon his being raised?

A. No. If he is raised by the lodge in which his petition was acted upon, he must sign the By-laws of that lodge; and by so doing becomes a member. If the degrees are conferred by the request of another lodge, he must sign the By-laws of the lodge making the request. This is a matter very often neglected, and the Masters of lodges

should always have it attended to at the proper time. (1868. Dec. 12. Best, G. M.)

161. Q. Is it proper for one Subordinate Lodge to notice a communication from another lodge, giving notice of the suspension or expulsion of a member, if the Secretary's name be printed, or if he fails to attach the seal of the lodge? And would it not be proper for such communication to bear the date of the meeting at which the suspension or expulsion occurred, and also the date of the issue of the notices?

A. A communication in order to receive attention should bear the signature of the Secretary and the seal of the lodge. No other is legal. The notice should have the date of the meeting, and also the date of the issue of the notices. The By-laws of the Grand Lodge, Article 4, Section 34, requires notices to be transmitted after the expiration of *one month*, if no appeal has been taken to the Grand Lodge, and it is, therefore, necessary that both the dates should appear on the notices, that other lodges may see that the law has been complied with. (1868. Dec. 13. Best, G. M.)

162. Q. What is the proper course for the Secretary to pursue in case the member suspended or expelled does, or does not, appeal to the Grand Lodge?

A. If there is an appeal taken to the G. L., then the notices are not sent out; but if no appeal be asked for, at the expiration of one month, the Secretary will issue the notices. In either case the Secretary will make out a transcript of the whole proceedings and send up to the next succeeding Grand Lodge (See Art. 4, Sec. 34, By-laws G. L.) and in this connection we publish the section referred to entire.

“Whenever a lodge shall suspend or expel a brother, notice of the same shall, after the expiration of one month, be transmitted to the other lodges in the State, and to the Grand Secretary, unless the party so suspended or expelled shall, within that time, have appealed to the Grand Lodge, in which case the notice shall be withheld until the action of

the lodge shall have been confirmed. And when the Grand Lodge shall refuse to confirm such proceedings by reason of any technical informality or irregularity therein (without reference to the merits of the case) the same shall be certified to the lodge, and a new trial shall be held. When notice of the suspension or expulsion has been issued, and the brother so suspended or expelled shall be subsequently reinstated, notice of the same shall be given to all the Subordinate Lodges. The charges and proceedings in the case shall, indispensably, be sent up to the ensuing Grand Lodge for final action. (1868. Dec. 13. Best, G. M.)

163. Q. What is meant by "lawful information," when applied to visitors?

A. This information is derived from a personal knowledge, which can only be obtained from "strict trial and due examination," or from having sat in a regular lodge of Master Masons with him. Second, from the declaration of a known Master Mason, that the visitor is a Master Mason. (1868. Dec. 13. Best, G. M.)

164. Q. Is a Mason who has taken the Past Master's degree in a Royal Arch Chapter known in the Blue Lodge as a P. M.?

A. No. Not unless he has been regularly installed Master of a Blue Lodge. Past Masters are of two classes, viz.: Actual and Virtual.

Actual Past Masters are those who have been regularly installed as Masters of a Blue Lodge.

Virtual Past Masters are those who have received the degrees in a Chapter, but have never been installed as Master of a Blue Lodge. (1868. Dec. 14. Best, G. M.)

165. Q. Is it right for the Master of a lodge to permit a petition to be withdrawn after one or two unfavorable ballots have been taken, or can a petition be withdrawn at any time after it is in the possession of the lodge?

A. There are but two instances only, in our judgment, when the Master may permit the petition to be withdrawn.

1st, If the petition of a person living beyond the

jurisdiction of a lodge should be received, and the lodge was not aware that the applicant was not in her jurisdiction, then it might be returned, if no ballot has been taken. (1868. Dec. 14. Best, G. M.)

166. Q. Is it obligatory upon the W. M. to sign the minutes of all communications?

A. No. The minutes should be read, and (if necessary altered or amended) approved before the lodge is closed and attested by the Secretary. (1868. Dec. 14. Best, G. M.)

167. Q. A man petitions a lodge for the Masonic degrees, a ballot is taken and he is declared duly elected. Before he comes forward to be initiated, a personal difficulty arises between him and a Mason, can the Mason demand a second ballot, and stop him from taking the degrees on account of such difficulty, without giving reason to the lodge for so doing?

A. A ballot can be had at any time and a candidate stopped at any stage of the proceedings previous to the conferring of a degree. The lodge has no right to question a member for exercising the right of ballot. Among the standing resolutions adopted by the Grand Lodge of North Carolina, we note the following:

“That upon balloting upon a petition, the applicant is balloted upon to be a Master Mason. It is, however, proper, if a brother shall desire it, to demand a second ballot upon his application for passing or raising.” (1868. Dec. 14. Best, G. M.)

168. Q. In the above case, may not the lodge demand the reason, and decide whether it is valid?

A. No. No one has a right to know how another has cast his ballot, if he has, it is not *secret*. The Old Regulations of 1771 says:

“But no man can be entered a brother in any particular lodge, or admitted a member thereof, without the unanimous consent of all the members. * * * * * Nor is this inherent privilege subject to a dispensation, because the members of a particular lodge are the best judges of it, and

if a factious member should be imposed on them, it might spoil their harmony, or hinder their freedom; or even break and disperse the lodge, which ought to be avoided by all good and true brethren." (1868. Dec. 15. Best, G. M.)

169. Q. In such a case may not the lodge turn the whole matter over to a sister lodge to decide as it seems best?

A. No. If the ballot is demanded and the applicant rejected in the case mentioned above, then the matter drops. Each lodge has the sole right to determine whom it will admit as members, and no other lodge can decide this question for it. (1868. Dec. 15. Best, G. M.)

170. *Resolved*, That the making or using of any letter or cypher to the true Masonic work and mysteries is not authorized by the ancient customs of the Order, is contrary to the principles and teachings, and can not, therefore, be sanctioned by this Grand Lodge.

Resolved, That the true Masonic mysteries should be taught and handed down by oral teaching alone, as has been done from remote ages, and that any departure from this principle is fraught with danger to the Institution. (1868. Rep. 29.)

171. R——— Lodge indefinitely suspended Brother P., upon the charge of Brother A. that said P. did, without the knowledge or consent of a certain person (a lady) use her name for the purpose of making a fraudulent conveyance of his property, to the injury of a brother Mason, etc. The Committee, from the papers submitted to them in the case, are at a loss to perceive how such a harsh punishment could have been inflicted upon the allegation and proofs. How any human being, of ordinary capacity, could have been fooled or cheated, by the fraudulent use of a lady's name, we fail to see; much less do we fail to perceive how the swindle was perpetrated, from the papers and proofs before us.

If the papers laid before us are designed to be a true record of what occurred in the trial of Brother P. in R——— Lodge, then we have no earthly hesitation in saying that

they are wholly informal and ought not to be respected or entertained for a moment by this Grand Body. (1868. Rep. 31.)

172. *Resolved*, That profanity and drunkenness are among the highest Masonic crimes.

Resolved, That Subordinate Lodges in this Jurisdiction are directed to vindicate the law in relation thereto. (1868. Res. 64.)

173. Q. What relation does the daughter of an expelled Mason sustain to the Order?

A. Her Masonic rights are lost with her father's. (1869. Dec. 9. Vance, G. M.)

174. Q. Can a brother be excluded by the effect of a By-law without notice?

A. He can not; notice must be given to a brother in arrears to appear and show cause. (1869. Dec. 10. Vance, G. M.)

175. Q. Can an officer be installed if absent?

A. It is customary, and may be done by proxy. (1869. Dec. 10. Vance, G. M.)

176. Q. Is it as improper to disclose the ballot upon a dimit as though upon a petition of a profane; and is it a breach of Masonic privilege to so divulge a ballot?

A. Undoubtedly; both points are *Unmasonic*, and equally so. (1869. Dec. 10. Vance, G. M.)

177. Q. Must a Subordinate Lodge receive a notice of expulsion, without a legal seal?

A. Yes, if the Secretary certifies that the lodge has no seal. (1869. Dec. 10. Vance, G. M.)

178. Q. When a Deputy Custodian gives a brother a certificate, and the Grand Master commissions as Grand Lecturer, how long is the commission in force?

A. One year has been the general period. (1869. Dec. 10. Vance, G. M.)

179. Q. Can a Deputy Custodian order a ballot and confer the degrees out of the regular course?

A. He can not; he may exemplify the work by a substitute. (1869. Dec. 10. Vance, G. M.)

180. Q. Can a man be made a Mason who has lost an arm or a leg?

A. According to the decision of the Grand Lodge he can not. (1869. Dec. 10. Vance, G. M.)

181. Q. Does "exclusion" from a particular lodge impair the standing of a brother with the Fraternity at large?

A. It does not; it leaves him a "non-affiliated Mason." (1869. Dec. 10. Vance, G. M.)

182. Q. Does a lodge receiving a duplicate charter (the original being destroyed) retain its old members?

A. Undoubtedly so; it is not a lodge U. D. (1869. Dec. 10. Vance, G. M.)

183. Q. Does the dispensation of the Grand Master for a new lodge necessarily transfer the membership of the petitioners?

A. It does not; they must dimitt when the charter is granted. (1869. Dec. 10. Vance, G. M.)

184. Q. Can a brother "sign" the By-laws through an attorney duly authorized?

A. A brother in good standing with the Craft, being elected to membership, and unavoidably absent, may give another brother a power of attorney to sign for him.

This was referred to the Committee on Jurisprudence, who reversed the same, stating as follows: The only question of material importance submitted for our decision was one from Wm. G. Hill Lodge No. 218, as follows: Where a dimitted Mason has petitioned in regular form for membership, and been received, but who left the State before signing the By-laws of the lodge, can he empower another brother, by power of attorney, to sign the By-laws for him? Our decision was that he could not—that the signing of the By-laws of a lodge was an act that must be

performed in person, and that the power to do so could not be delegated by one brother to another. (1869. Dec. 10. Vance, G. M.)

185. Q. Is it Masonic to hold balls (dancing parties) in the lodge hall, or to play cards therein?

A. Dancing and card playing are not taught in the ritual or landmarks. They had better be practiced elsewhere, if at all. (1869. Dec. 10. Vance, G. M.)

186. Q. Can an officer in a chartered lodge hold office in a lodge U. D.?

A. He may until the charter is issued. (1869. Dec. 10. Vance, G. M.)

187. Q. A difficulty exists between two brothers—one is expelled; can the other be tried?

A. Yes. (1869. Dec. 10. Vance, G. M.)

188. Q. Can a member be expelled for non-payment of dues?

A. He can not justly or lawfully. (1869. Dec. 10. Vance, G. M.)

189. Q. Has a lodge the right to remit dues for cause, say poverty or distress?

A. It has; there is no By-law forbidding it. (1869. Dec. 11. Vance, G. M.)

190. Q. Can a lodge proceed to the trial of a member guilty of gross Unmasonic conduct, whose address is unknown?

A. The charge and specifications must be served upon the accused, either in person or by mail; if his address is known; if not, proceed *ex parte*. (1869. Dec. 11. Vance, G. M.)

191. Q. Can an installed officer relinquish or resign his office before his successor is installed?

A. He can not. (1869. Dec. 11. Vance, G. M.)

192. Q. Can a petition for membership, or for the degrees, be withdrawn?

A. Only by consent. It is the property of the lodge.
(1869. Dec. 11. Vance, G. M.)

193. Q. How long does a rejected petitioner have to wait before applying again?

A. Twelve months. (1869. Dec. 11. Vance, G. M.)

194. Q. How often can a non-affiliated Mason visit a lodge?

A. Only once, as provided for in the resolution of the Grand Lodge of 1862. (1869. Dec. 11. Vance, G. M.)

195. Q. A brother acts as agent for a Mason's widow; collects money of hers; does not pay over; sends her a bankrupt notice as one of his creditors; is it a Masonic crime?

A. It certainly is, and deserves speedy punishment.
(1869. Dec. 11. Vance, G. M.)

196. Q. What shall be done with a lodge that has worked up the material of another and refuses to pay over the fees?

A. Inform the Grand Master, and if, after he has reminded them of their duty, the brethren still refuse, let their charter be arrested. (1869. Dec. 11. Vance, G. M.)

197. Q. How shall an expelled Mason be restored?

A. By petition and a clear ballot. (1869. Dec. 11. Vance, G. M.)

198. Q. Is drunkenness or profanity a sufficient reason for a blackball?

A. Either is sufficient. (1869. Dec. 11. Vance, G. M.)

199. Last year, information was given to this body of a clandestine body of men within the jurisdiction of the Grand Lodge of Louisiana, styling themselves "Scottish Rite Masons." Later intelligence brings us tidings that this spurious body has been recognized by the Grand Orient of France, contrary to all law and usage. The Grand Lodge of North Carolina should at once sever all fraternal relation between the two, until the Grand Orient ceases to counten-

ance clandestine and spurious Masonry. (1869. Dec. 13. Vance, G. M.)

200. Action of P——— Lodge in the case of L. was disapproved for the reason that it does not appear that the brother was regularly served with a summons to appear and answer the charges preferred against him, and Committee recommend that a new trial be granted him, and that the papers be returned to P——— Lodge for that purpose. (1869. Rep. 31.)

201. *Resolved*, 1st, That this Grand Lodge can not, hereafter, recognize any other mode of making Masons than the one sanctioned by the immemorial usage of the Craft, namely: "In a regular lodge, after previous notice and due inquiry into character."

2nd, That this Grand Lodge can not, and does not, recognize any inherent right or power, or prerogative in Grand Masters, to make Masons at sight or will, out of a regular lodge; and must regard the exercise of such power not only as arbitrary, but in violation of the plain and unmistakable provisions of the ancient charges and Constitutions of Masonry.

3rd, That these makings by Grand Masters, heretofore, are hereby declared legal, and the Masons so made entitled to all the rights and privileges of the Craft. (1869. Res. 34.)

202. *Resolved*, That the Master and Wardens of any Subordinate Lodge that shall fail to take action against the members for disobedience of summons, are guilty of a grave misdemeanor; and any failure in this matter shall be considered sufficient cause for arrest of charter. (1869. Res. 49.)

203. *Resolved*, That a written or printed notice, by order of the Worshipful Master, signed by the Secretary and attested by the seal of the lodge, shall be considered a legal notice. (1869. Res. 49.)

204. In the matter of the Grand Orient of France, your Committee recommend that the Grand Lodge approve

the action of the Grand Lodge of France, and take similar steps. The action of the Grand Lodge of Louisiana is contained in the following resolution:

Resolved, That all Masonic correspondence and fraternal relations between the Grand Lodge of Louisiana and the Grand Orient of France cease and be discontinued, and no Mason owing allegiance to that Grand Body is recognized as such in this Jurisdiction.

Resolved, That a duly authenticated copy of the above report and resolution be transmitted to the Grand Orient of France, and to all regularly constituted American and European Grand Lodges. (1869. Rep. cxvii, cxxv.)

205. Where two lodges agree upon an arbitrary line marking the territorial jurisdiction of each lodge, the Grand Lodge will approve the same. (1870. Rep. 34.)

206. The Committee to whom were referred certain claims mentioned in the report of the directors of St. John's College, beg leave to submit that, from the best information they have been able to get, they do not think this Grand Lodge is legally liable for any of said debts, and they think this Grand Lodge should be careful how it assumes the payment of debts upon moral or charitable grounds. Each debt thus claimed should be canvassed and settled on its own merits—and none of them have been canvassed before us. (1870. Rep. 36.)

207. Q. Can a Mason be a member of a lodge in Virginia, or any other State, and in North Carolina at the same time?

A. He can not. See Section 24, Article 4, By-laws of this Grand Lodge. The Committee are unanimously of the opinion that a lodge U. D. is a lodge within the meaning of Section 24, above referred to. (1870. Rep. 37.)

208. Your Committee recommend that the Grand Master be requested not to grant a dispensation to open any new lodge hereafter, unless the application is accompanied by the dimits of at least seven Master Masons. (1870. Rep. 38.)

209. Q. A borrows money from B. B calls upon A for a return of the money. A refuses and publicly abuses B, who prefers charges, and A is acquitted. Can B appeal to the Grand Lodge?

A. The Ancient Charges say: "And if any of them (brethren) do you injury, you must apply to your own or his lodge; and from thence you may appeal to the Grand Lodge at the Quarterly Communication, and from thence to the Annual Grand Lodge, as has been the ancient *laudable conduct* of our forefathers in every nation." (1870. Dec. iii. Vance, G. M.)

210. Q. Can a lodge confer the degrees upon a man who can not speak or understand the English language?

A. It may be done through an interpreter, but due caution should be had in such cases. (1870. Dec. iii. Vance, G. M.)

211. Q. Whose duty is it to notify a brother when charges are preferred against him?

A. It is the duty of the Secretary, who should attach the seal of the lodge. (1870. Dec. iii. Vance, G. M.)

212. Q. What rules govern the removal of a lodge?

A. 1, Notice must be given in the presence of the Master. 2, Summons all the members and fix a day. 3, The majority rules if the Master concurs. 4, If the Master does not concur, it requires two-thirds of the lodge; and, 5, the Grand Master's approval. (1870. Dec. iii. Vance, G. M.)

213. Q. On funeral occasions, when a number of brethren are present in a Master's Lodge, clothed as Royal Arch Masons, must the Secretary record their names?

A. He must, or the record is faulty. (1870. Dec. iii. Vance, G. M.)

214. Q. At a special meeting a brother is suspended for six months, can a motion to reconsider be properly had at the next meeting?

A. It can not unless made by one who voted affirmatively, and all the members present who were there at the time of trial. (1870. Dec. iii. Vance, G. M.)

215. Q. What is meant by "Mock Masonic burials," as forbidden by the Grand Lodge?

A. Mock Masonic funerals, as disapproved of, are in cases where the deceased has already been buried otherwise. Lodges of Sorrow are not condemned. (1870. Dec. iii. Vance, G. M.)

216. Q. Is the Master's summons, at a regular meeting, a legal notice?

A. It is. (1870. Dec. iii. Vance, G. M.)

217. Q. Can a lodge receive a petition from a party who has not resided in its jurisdiction twelve months?

A. No. (1870. Dec. iv. Vance, G. M.)

218. Q. Can a lodge admit a strange visitor without requiring him to take the Tiler's O. B.?

A. Certainly not. (1870. Dec. iv. Vance, G. M.)

219. Q. How shall the jurisdiction of lodges be determined?

A. By an air line. (1870. Dec. iv. Vance, G. M.)

220. Q. When an appeal is prayed from a Subordinate Lodge must the grounds be stated in writing?

A. Yes. See By-laws of Grand Lodge. (1870. Dec. iv. Vance, G. M.)

221. Q. Has every Mason in good standing an inherent right of visitation?

A. He has, according to Landmark No. 14. (1870. Dec. ii. Vance, G. M.)

222. Q. Has a brother of a lodge an unqualified right to object to the admission of a visiting brother?

A. He has, in order to preserve harmony. (1870. Dec. ii. Vance, G. M.)

223. Q. Must the objecting brother give his reasons?

A. The Worshipful Master has the right to the reasons, that he may judge of their propriety. (1870. Dec. iii. Vance, G. M.)

224. Q. Is it the duty of the lodge to prefer charges against a visiting brother who is objected to?

A. Charges should be made. If the visitor is worthy let him establish the fact, if unworthy it should be known to the Fraternity. (1870. Dec. iii. Vance, G. M.)

225. Committee on Jurisprudence beg leave to report that they differ with the M. W. Grand Master in his answer to the question, "Has a Mason in good standing the right to visit any lodge?" They decide that he has no such right; he has the right to ask to be allowed to visit, and the lodge may grant it or not, and he can not be admitted if one brother objects. (1870. Rep. 47.)

226. The fact is, the *moral* law is the *Masonic* law; and he who violates the one violates the other. Hence, the most eminent Masonic jurists, submitting themselves to the guidance of the Masonic Ritual and Charges, assert, without hesitation or compromise, that every transgression of the moral law is an offense against the Masonic law. And, therefore, the Grand Lodge of North Carolina, with a fidelity to the laws and principles of the Institution that should provoke emulation in all other jurisdictions, declares that profanity and drunkenness, being among the *most flagrant* violations of the moral law, are among the *highest* Masonic crimes. (1871. Dec. 9. Clark, G. M.)

227. Transcript of proceedings in Masonic trials should show by name that a requisite number of officers and brethren were assembled, and also that the accused was served with the ten days' notice as prescribed. (1871. Rep. 37.)

228. Transcript containing neither charges nor specifications is incomplete, and will be remanded for correction. (1871. Rep. 37.)

229. Transcript not containing evidence will be remanded for correction. (1871. Rep. 36.)

230. Transcripts in cases of expulsions must show that two-thirds of those present voted for expulsion. (1871. Rep. 37.)

231. *Resolved*, That all Subordinate Lodges in this Grand Jurisdiction be allowed the privilege of enacting such additional By-laws to the Code adopted by this Grand Lodge as may be deemed proper by such lodge. *Provided*, That such additions do not conflict with the Ancient Regulations, Charges and Constitutions of Masonry.

Resolved, That all such By-laws shall be submitted to this Grand Lodge for approval, and such amendments shall be inoperative until so approved. (1871. Res. 39.)

232. *Resolved*, That whenever a dispensation is granted by the Grand Master, for the formation of a new lodge, the Masons to whom such dispensation is granted become members of such new lodge, and that their membership ceases in the lodges in which they were formerly members, whether they have been regularly dimitted or not. (1871. Res. 42.)

233. Grand Lodge may, where evidence does not support finding, reverse judgment of Subordinate Lodge. (1871. Rep. 51.)

234. In the appeal of ———, your Committee find that the accused offered in the Subordinate Lodge to file his answer to the charges, and to verify the same, which was refused by the lodge. Your Committee are of the opinion he had a right to file his answer, and the refusal of it was wrong. (1871. Rep. 51.)

235. In the appeal of ———, the Committee find the ground of the appeal by the appellant, who is prosecutor, to be (1) too much sympathy for the accused, and (2) too much prejudice against him, both of which grounds we hold untenable. (1871. Rep. 51.)

236. *Resolved*, That hereafter no number of brethren who apply for a dispensation to form a lodge, or who apply for a charter after having worked under dispensation, shall name their respective lodge or lodges after the name of any living man, profane or brother, to the end that Masonry may not be brought into reproach by perpetuating the name of an unworthy man or Mason. (1871. Res. 54.)

237. It is error for a lodge to make a joint charge against several brethren for an individual and not joint offense. [In this case several were jointly charged with disobeying a summons.] (1871. Rep. 55.)

238. *Resolved*, That Subordinate Lodges be urged to vigilance in the suppression and prevention of profanity and drunkenness, and that after admonition and due warning, if the perpetrators of these vices and crimes against the moral law still persist in their committal, then it is the duty of Subordinate Lodges to deal with such offending members, and inflict such punishment as the magnitude of the offense demands, but the officers are required to proceed in this respect with great caution and circumspection. (1871. Rep. 57.)

239. What vote is necessary to reinstate an indefinitely suspended Mason? Suspensions are definite and indefinite. A majority can inflict either, and have the right to fix the time *instantly*, or leave it to be fixed at some future period. If a majority, then, has full power over the question of time permanently, and can fix it *instantly*, or leave it to be fixed at some future period, can any possible reason be given why, when that period arrives, it can not fix it then. The circumstances being the same, it does seem that the same power can accomplish next week what it can accomplish today. Besides, I am not disposed to conclude there is no difference, save in name, between indefinite suspension and expulsion, which would be the case if an unanimous vote was necessary to restoration. Does it require an equal power to restore suspended animation and to bring the dead to life? For these reasons, briefly stated, I gave the opinion that, under existing law, which clothes a majority with power to suspend, a majority may reinstate. (1872. Dec. 211. Clark, G. M.)

240. *Resolved*, That a vote of two-thirds of the members present is necessary to restore a suspended member to the rights and benefits of Masonry.

Resolved, That a unanimous vote of the members

present is necessary to reinstate a suspended Mason to membership. (1872. Rep. 229.)

241. By-laws of a Subordinate Lodge can not have provision inflicting fines for non-attendance. (1872. Rep. 237.)

242. That a delegate to the Grand Lodge appointing another delegate his proxy must do so in writing; that a mere verbal appointment, or request, to act as such proxy, was not valid, and that the party requested to act as such proxy was not entitled to cast the vote of the delegate making the verbal appointment. (1872. Dec. 240. Nichols, G. M.)

243. *Resolved*, That suspension does not deprive a Mason of membership in his lodge.

Resolved, That a majority vote is sufficient to restore a suspended Mason to the rights and benefits of Masonry. (1872. Res. 243.)

244. In the case of P, from C—— Lodge, the transcript is fatally defective, in that no charges or specifications appear on the record of the Subordinate Lodge; and that it does not appear that the said P was notified to attend when depositions affecting his case were taken, in order that he might cross-examine the witnesses, an informality affecting one of the most sacred rights of a Mason, that of impartial trial. (1872. Rep. 249.)

245. In the case of K, the transcript does not show the specifications; does not show that defendant had been served with legal notice. Visitors were allowed at the trial, which should not have been. (1872. Rep. 249.)

246. Masonry in this State is amply protected against the imposition of non-affiliated Masons by Standing Resolution No. 77, which provides that "any Mason who does not contribute to the funds, or belong to some lodge, is not entitled to visit a lodge while he remains non-affiliated, or to *join in procession*; or to *relief*; or *Masonic assistance* or *burial*."

I fully accord in the sentiment and admonition contained in the Ancient Charges, that "every Mason *ought* to be a member of a lodge," yet each individual should be left free to determine that for himself; as the Ancient Charge is *admonitory* not *mandatory*, yet it lays down no rule by which a member of a lodge may be compelled to remain, or any one who is not a member be compelled to join, against his will; nor does the Ancient Charge impose any penalty to enforce the one or the other, but it is left to each Mason to determine, in view of the obligation resting upon him. (1873. Dec. 12. Nichols, G. M.)

247. The ancient law says: "No brother can be a Warden until he has passed the part of a Fellow Craft, nor a Master until he has acted as Warden." Art. 2, Sec. 7, of the Constitution of this Grand Lodge says: "The Grand Master enjoys all the powers and prerogatives conferred by the Ancient Constitutions and usages of the Craft. * * * * He may also grant dispensations on all proper occasions, and do all such other acts and deeds as are warranted or required of him *by the Regulations and ancient usages of the Fraternity.*"

It is evident, therefore, that it was not proper to grant the dispensation asked for, namely, to legalize the election of a brother as a Master who had not served as a Warden. (1873. Dec. 14. Nichols, G. M.)

248. One of the perplexing questions in this Jurisdiction is the status of Masons dismembered for the non-payment of dues, and how one so dismembered can regain his standing in the lodge? The right to dismember is clearly given the Subordinate Lodge in Art. 4, Sec. 35, of the By-laws of the Grand Lodge, which says: "That no lodge can rightfully suspend or expel a Mason for disregard of any special regulations, conditioned on membership—such as the non-payment of dues, arrears, etc., the severest penalty for which is dismembership." When a Mason becomes a member of a particular lodge he enters into a contract with the lodge, and that contract is its By-laws,

which he is required to sign. The Grand Lodge having made no provision for the regaining of membership by one who has been dismembered for the non-payment of dues, evidently intended to leave the question to the Subordinate Lodges themselves. Each Subordinate determines the amount of dues to be charged its members, the terms of payment, etc., and, according to the law above referred to, clearly has the right to inflict any punishment on its members for a non-compliance with its regulations, provided it be not severer than that allowed by the Grand Lodge.

I have, therefore, decided in the several cases submitted for an opinion, that a Mason dismembered for the non-payment of dues can regain his membership only in the way and manner prescribed in the recognized By-laws of the lodge dismembering. (1873. Dec. 14. Nichols, G. M.)

249. Have lodges U. D. territorial jurisdiction? A case involving this question was submitted for my decision during the year. I decided it in the negative, for the following reasons: The Grand Lodge holds and exercises jurisdiction over the entire State, and I gave it as my opinion that it alone could sub-divide that territory. Dispensations are obtained as follows: Seven or more Master Masons wish to form a new lodge. They make that fact known to the nearest chartered lodge, and ask that lodge to recommend them to the Grand Master as persons suitable and in every way qualified to rule and govern a new lodge. The chartered lodge gives the recommendation, and on that the Grand Master issues them a warrant, authorizing them to initiate, pass and raise, but such a lodge possesses no powers except those specially delegated by the Grand Master. A lodge U. D. can not try or discipline the Masons composing it, nor those living nearer it than to another lodge. It can not frame By-laws, and can not affiliate Masons. These prerogatives belong only to chartered lodges.

It is required that each lodge U. D. shall send up a specimen of its skill to the Grand Lodge, and, if the work

is approved, a charter is granted by that body, and *then* takes the position as a lodge with powers and privileges equal to those of any other lodge in the Jurisdiction.

The question recurs: If a lodge U. D. does not possess territorial jurisdiction, where is it to obtain material with which to work? It is answered: The recommendation of the nearest chartered lodge, on which the warrant is issued, is a permit authorizing the lodge U. D. to enter its quarry, and appropriate to its own use, and work up such material as it there finds unappropriated. (In some jurisdictions no dispensations to form new lodges can be issued without the recommendation of all the lodges whose jurisdiction shall be affected by such dispensation. I am not sure but this is the correct view, yet it is not the law in this State.) The lodge U. D. can not use any material already received or rejected by chartered lodges, and being in a sense a tenant by courtesy, it cannot object if the chartered lodges continue their work in the same quarry; for they have prior rights, and may still use any material not rejected or received by the lodge U. D.

The Grand Master is the supreme head of the Masons in the State; but, in my opinion, he has no power to add to or reduce the territorial jurisdiction of the Grand Lodge, or of any Subordinate Lodge, and cannot, therefore, by a dispensation, divide the territory of a chartered lodge, by giving a part of such territory to a lodge U. D. The Grand Lodge alone possesses and has a right to exercise exclusive jurisdiction within its territory, and it alone may sub-divide that territory. (1873. Dec. 15. Nichols, G. M.)

250. After a candidate has been balloted for, and received the first degree, has a member of the lodge the right to object to his advancement without giving the reasons therefor? And is not the member so objecting bound to prefer charges against the candidate?

Objections may be made at any period of advancement, and the member objecting is not bound to prefer charges, nor to give his reasons for such action. There is no law in

the Masonic Code more clearly defined or better settled than this; yet we find many in this enlightened day who seriously question this right, and many instances occur where objections are made which cause a great confusion among the Craft, and I regret to say in some instances produce unkind feelings, and seriously disturb that harmony which ought to prevail in every lodge.

If our brethren would study law more, and be influenced by personal prejudice less, much of the trouble which arises from this subject would cease, and sources of discontent and feuds be forever removed. A distinguished Masonic writer truly says: "The members of the Fraternity are expected heartily and freely to extend the right hand of fellowship to all, and all are expected as warmly and cordially to receive the fraternal grip. This state of things can not exist if any may be admitted contrary to the will of any one of its members." (1873. Dec. 16. Nichols, G. M.)

251. The Uniform Code of By-laws, Art. 5, Sec. 3, says that "every petition for the degrees of Masonry or membership shall be referred to a committee," etc., "who shall report to the lodge at the first Regular Communication thereafter." Art. 4, Sec. 10, By-laws Grand Lodge says, that "every petition shall lie over at least one month," etc. Where a lodge meets twice in each month, can a petition be acted on at the "first regular meeting" after its reception, or must it lie over one month?

A petition must lie over one month. The Constitution and By-laws of the Grand Lodge are the supreme Masonic law in North Carolina, and can not be repealed or annulled by the By-laws of a Subordinate Lodge. (1873. Dec. 16. Nichols, G. M.)

252. Has the Master of a lodge the right to grant a new trial to a brother after the trial has been held and the lodge closed?

He has not. After due trial, if a brother is dissatisfied with the result thereof, he has the right, any time within one month, to appeal to the Grand Lodge, which can order

a new trial if there has been any irregularity or defect in the proceedings below. (1873. Dec. 16. Nichols, G. M.)

253. Can one lodge try, for a Masonic offense, a Mason residing in its jurisdiction, but who is a member of another lodge?

It can. The penal jurisdiction of a lodge extends to all Masons residing in its territorial jurisdiction, whether they be its own members, members of other lodges, or non-affiliated Masons. See Art. 4, Sec. 15, By-laws Grand Lodge. (1873. Dec. 17. Nichols, G. M.)

254. If a Mason, a member of a lodge, commits suicide, is he entitled to Masonic burial?

Every Mason, dying in good standing in his lodge, is unquestionably entitled to Masonic burial. After a brother is dead, it is too late to go into an investigation of his character. If he was addicted to any vice which might so impair his mind as to cause him to commit so unnatural an act, his lodge should have dealt with him while living. However unpleasant our duty to the living, by arraigning those who deviate from the paths of rectitude, and permit them to continue in their immorality, until they meet a suicide's death, we must suffer the consequences, and not attempt to screen our short-comings behind the earthly remains of an erring and fallen brother. (1873. Dec. 17. Nichols, G. M.)

255. A party applies to A lodge for the Masonic degrees, and is rejected. He afterwards applies to B lodge, which obtains permission of A lodge to act on the petition, where he is again rejected. A change of residence brings the petitioner within the jurisdiction of C lodge, where he applies again.

Should the latter lodge apply to A lodge or B lodge for permission to act on the petition?

To A lodge. That having original jurisdiction, and B lodge having refused by ballot to receive the applicant, the jurisdiction reverts to A lodge, where it remains until again transferred by its own act. (1873. Dec. 17. Nichols, G. M.)

256. Is it proper to dismember a Mason for non-payment of dues without first notifying him to appear and show cause why it should not be done?

Every member should be duly notified before the lodge proceeds to take action against him. None should be debarred the right of being heard, if he desires it, in vindication of his own conduct. (1873. Dec. 17. Nichols, G. M.)

257. Does an unfavorable report stop further action, or must the petition be balloted on?

An unfavorable report does not stop further action. There is but one way of receiving a candidate, and but one way of rejecting one, and that is by the secret ballot. Every application for the degrees, or for membership, it matters not what the report of the committee may be, must be submitted to the ballot. (1873. Dec. 17. Nichols, G. M.)

258. Should any charge be made for degrees conferred by one lodge at the request of another, especially when the candidate has paid for all the degrees in advance to the lodge acting on the petition?

Certainly not. It is simply an act of courtesy on the part of one lodge toward another, and no lodge actuated by true Masonic principles would ever think of making such a charge. (1873. Dec. 17. Nichols, G. M.)

259. A non-affiliated Mason makes application for membership and is rejected. What is his status? When and where can he apply again?

His status is precisely what it was before he made the application, with the exception that he can not be arraigned as a "wilful non-affiliate," because he has shown by his application that his "non-affiliation" is not "wilful." He can apply again as soon as he wishes, and where he desires. (1873. Dec. 18. Nichols, G. M.)

260. After a candidate has been balloted for and rejected, and a second ballot taken to be sure of no mistake, is it proper for the Master to entertain a motion to reconsider?

It is not. The candidate stands rejected, and can not again petition until after the expiration of twelve months. (1873. Dec. 18. Nichols, G. M.)

261. In the case of Brother M., from C—— Lodge, upon a charge of gross Unmasonic conduct, specification “selling intoxicating liquors indiscriminately,” this party appeared in person, and admitted he was guilty of the specification to the extent of selling intoxicating liquors by the quart to all who were able to pay for them. The lodge found him guilty and expelled him. Afterwards they reflected upon the dread penalty, and upon his confessing his fault and promising sincerely to cease the traffic in intoxicating liquors, and otherwise cheerfully conform his deportment to the rules and regulations of the lodge, they have recommended mercy in this case. We cheerfully recommend that he be restored to all the rights and privileges of a Master Mason, and that he make application forthwith to the lodge for restoration. (1873. Rep. 41.)

262. In a case from —— Lodge, charges were preferred for “Unmasonic conduct,” with two specifications: 1, “In allowing dues to remain unpaid, after being repeatedly notified to pay the same; and, 2, that in contempt of the authority and dignity of the lodge, refused and neglected to obey its summons, properly communicated, and attend its meetings and settle up.” In this case the lodge expelled him, which decision we recommend be reversed, and suggest “indefinite suspension” instead. (1873. Rep. 54.)

263. In a case from —— Lodge, a charge of “a refusal to obey a legal summons legally served, and also of having spoken disparagingly and disrespectfully of this lodge,” was found guilty on both specifications, whereupon the lodge voted unanimously for expulsion. In which decision we concur. (1873. Rep. 54.)

264. In the case of a brother charged with habitual drunkenness and harsh language in reference to a brother of the same lodge, accusing him of theft and bribery. The

lodge did not sustain the first specification—that of drunkenness, but found the accused guilty of the charge, as contained in the second and third specifications, and voted “expulsion,” which meets with our hearty concurrence. (1873. Rep. 54.)

265. In the case from ——— Lodge, the lodge on appeal decided that it required a two-thirds vote to find guilty on charges, it was accordingly decided that the accused was not found guilty, the vote standing eleven for conviction against seven votes. Whereupon the accused was declared acquitted, from which appeal was taken to the Grand Lodge. Your Committee are of the opinion that a majority voting for conviction carried conviction. Your Committee, therefore, recommend that the error of the lodge be certified to the end that it may proceed to pass sentence; the evidence warrants the severest punishment of the accused. (1873. Rep. 60.)

266. In the case from ——— Lodge, we decide that the evidence does not sustain the charge, and the action of the lodge is overruled, and we recommend the restoration of the brother to all the rights and privileges of Masonry. The charge against the brother was gross Unmasonic conduct; specification—forgery of a paper writing against one S. The paper produced as evidence to sustain the charge was claimed by the brother to be a copy of an original in the hands of S., which S. did not deny. It was only produced as evidence of a contract with S., who refused to produce the original. The civil courts sustained the brother in exculpating him from wrong in using the copy. (1873. Rep. 71.)

267. In reference to the resolution of Bro. C. C. Clark, as to what is the proper mourning for Masons, we report that, upon burial occasions, Masons should appear clothed in black as nearly as practicable, with white gloves and aprons, officers with jewels, and all with black crape upon the left arm, above the elbow.

According to the ancient usages, Master Masons have

the right, in their discretion, to wear, in addition thereto, a piece of blue ribbon overlaid with a narrow black ribbon, upon the lapel of the coat; but this is left to individual choice, and is no part of the present uniform. (1873. Rep. 64.)

268. In the case from ——— Lodge, against a brother, charged with Unmasonic conduct, with usual specifications. The finding appears, and the vote was regularly taken, and the brother was acquitted. The case ought not to be here at all, and would not have been here, but for the fact that some individual member of the lodge seems to have wanted to have his say about it, and appealed from the decision of the lodge, which is contrary to all law governing the proceedings in our courts, and in the courts of England or any civilized country known to us, and if recognized in Masonic trials, it is high time the right, if such it is, is abolished. Of course, common sense dictates that we affirm the action of the lodge. (1873. Rep. 67.)

269. That Subordinate Lodges have the right to establish any fee for conferring the several degrees, and the apportionment of such sum to the degrees, respectively, provided the total amount shall not be less than the price fixed by the Grand Lodge. The Grand Master thinks it not only proper to apportion the sum charged, to the several degrees, but highly important that it be done, even where the whole fee is required in advance, for the reason that in case a candidate is stopped at any stage of the proceedings there may be no misunderstanding in regard to the amount to be refunded. (1873. Dec. 70. Nichols, G. M.)

270. Let no one pass into the East but through the West, and then not until the lodge is satisfied that he has zeal enough for the Institution to prompt him to do his work well and faithfully. A Master should not only be qualified to confer the degrees well, but he should be well versed in Masonic law. Especially should he be conversant with the By-laws of his lodge, and the Constitution, By-laws and Standing Resolutions of the Grand Lodge. (1874. Dec. 15. Nichols, G. M.)

271. The question arose in several lodges, during the year, whether a Mason was chargeable with dues from the time his dimit was granted until he affiliated with some other lodge? I decided in the negative, because from the time the dimit is granted until the holder thereof is admitted into another lodge, or returns the dimit to the lodge granting it, he is, to some extent debarred of lodge privileges. He cannot, by right, take part in the proceedings of the lodge—can not vote on petitions or on any other questions that may arise; and being thus deprived of lodge privileges, he should not be taxed with lodge dues. (1874. Dec. 16. Nichols, G. M.)

272. In the appeal from ——— Lodge, we find the papers forwarded to this body, purporting to be transcripts of the proceedings in said cases, in such condition that no reasonable judgment, as to the merits of the cases, can be derived therefrom. The Committee deem it their duty, however, to call special attention to the condition of these transcripts and their defects, some of the most important of which are:

- 1, That the seal of the lodge does not appear upon any of the papers, nor is there any reason offered for the omission.

- 2, That the evidence is not taken by question and answer.

- 3, That the pleas of the persons tried are not entered.

- 4, That the Master of the lodge acted as counsel for the prosecution, raised questions of law, argued and decided them himself.

- 5, That the testimony of profanes was taken by a committee without notice to the accused of the time and place of taking the same.

- 6, A part of the proceedings is written in pencil.

While your Committee admit the impossibility of an intelligent judgment on the merits, they recommend that the cases be remanded to the Subordinate Lodge for a new trial, on the ground that these proceedings are so irregular as to be an actual nullity. (1874. Rep. 43.)

273. *Resolved*, That any member of a Subordinate Lodge who shall apply for a dimit, it shall be granted him upon producing the Secretary's receipt that he has paid all lodge dues, if there be no charges against him. *Provided*, That any Mason who thus becomes non-affiliated, by his action distinctly releases all members of lodges from any and all Masonic ties between himself and them, retaining no Masonic right except that of petitioning any lodge for membership. (1874. Res. 44.)

274. In the case from ——— Lodge, we find that a brother was tried by a committee of his lodge, whose investigation was conducted with open doors, and in the presence of the profane, and without further trial by said lodge, was suspended.

We furthermore find that he immediately craved an appeal, which was denied him. We, therefore, recommend that said alleged trial be declared null and void, and, for this and other matters disclosed upon the investigation, that the Grand Master be directed to call on said lodge to show cause, within sixty days, why their charter should not be forfeited. (1874. Rep. 47.)

275. In the case from ——— Lodge, a brother charged with Unmasonic conduct in slandering a brother Mason, we recommend the sentence of expulsion be affirmed; but as the parties have amicably settled and compromised their difficulty satisfactorily to themselves and the lodge, your Committee would recommend to said lodge to restore the brother to membership in the lodge. (1874. Rep. 49.)

276. In the case from ———, against a brother charged with Unmasonic conduct, who was expelled, we recommend that it be sent back to the lodge for a new trial, as it appears that no ballot was taken on the charges and specifications as to guilty or not guilty, but that the brother was expelled without being convicted. (1874. Rep. 49.)

277. In the case from ——— Lodge, where the brother was indefinitely suspended, we recommend it be not con-

firmed, as we think the penalty too severe, but would recommend a suspension for six months as a sufficient penalty for the offense charged, as shown by the testimony. (1874. Rep 49.)

278. In the case from ——— Lodge, where the brother was expelled, we recommend that the action of the lodge be not sustained. He is charged with “Unmasonic conduct,” specification, “disobeying legal summons.” He did not appear at the lodge on the day set for trial. The proof was that he told a brother that he would not appear for the reason that he had connected himself with the Roman Catholic Church, and that he was opposed to secret societies. Your Committee unhesitatingly say that Masonry knows no sect, creed or opinion, and we recommend that the brother ought to be permitted to withdraw from the lodge honorably, if his conscience does not permit him to belong to the Masonic fraternity. (1874. Rep. 51.)

279. In the case from ——— Lodge, a brother was charged with Unmasonic conduct, and the sentence of the lodge was indefinite suspension. In the judgment of the Committee the action of the lodge was too hasty. The suspended brother was absent, the lodge acted *ex-parte*, and the lodge in possession of a letter from him asking for further time to make his defence. We, therefore, recommend that he be granted a new trial; and would further recommend to the Subordinate Lodge that if the charges preferred against him be sustained, he be expelled from all the rights, benefits and privileges of Masonry. (1874. Rep. 52.)

280. In the case from ——— Lodge, a brother was indefinitely suspended for Unmasonic conduct. We recommend that the action of the lodge be confirmed, and recommend that he be expelled by the Grand Lodge for conduct since his suspension. (1874. Rep. 52.)

281. The Committee on Jurisprudence beg to report in the matter of the communication of Brother F, relating to maimed candidates, referred to them by the Grand

Master, that Art. IV of Anderson's Constitutions, which we consider the highest written authority on Masonry, fully defines the ancient law and usage on this subject, to-wit: "Only candidates may know that no Master should take an apprentice unless he has sufficient employment for him, and unless he be a perfect youth, having no maim or defect in his body that may render him incapable of learning the art," etc. (1874. Rep. 53.)

282. In the case from ——— Lodge. This purports to be an appeal from a judgment of not guilty by the prosecutor, in a case which seems to have been tried with great patience and fairness, and in which the prosecution was evidently malicious. If there could be such an appeal, this is a case above all others in which it should not be allowed.

Your Committee recommend that the appeal be dismissed, and the Master of the lodge be instructed that a lodge can not appeal from an acquittal, nor allow a spiteful accuser to use its name and machinery to gratify his malice. (1874. Rep. 58.)

283. In the case from ——— Lodge, against a Fellow Craft, your Committee recommend that the decision be reversed and the accused brother restored to his rights as a Fellow Craft of said lodge.

Your Committee are aware that this recommendation is somewhat unusual, but they see no grounds for a new trial in the case, the finding being simply a matter of error upon the part of the Master of the lodge. It is a matter of doubt with your Committee whether all of the specifications, if fully sustained, would constitute a Masonic offense, or at least a violation of the Fellow Craft's obligation. In addition to this, however, he was found not guilty upon all but one of the specifications, and upon this there was a tie vote, the W. M. voting as a member of the lodge. There was then a vote on the charge, which was also a tie vote. Afterwards the W. M. declared the tie vote on the specification a vote of guilty, and the tie vote upon the charge a vote of not guilty. Thereupon the lodge proceeded to sentence. Your committee think there are two evident errors of law:

1st, The Master having voted as a member of the lodge, had no right to cast another vote in case of a tie, but a majority having failed to convict, should have declared a verdict of not guilty.

2nd, Having been declared not guilty on the charge, the accused could not have been sentenced whatever might have been the findings on the specifications. (1874. Rep. 58.)

284. A dispensation can be asked for only by the lodge or the W. M., and if not asked for by them it is wrong for the Secretary to affix the seal to such request or any other paper, except by their order. (1874. Rep. 65.)

285. A Secretary has no right to issue a summons for a suspended Mason, or any other Mason, without order of the Master. (1874. Rep. 65.)

286. A Master not only has a right, but it is his duty, to exclude a suspended Mason from his lodge. His action, therefore, in declining to open the lodge while such suspended Mason was in the room was eminently proper, and he has a right to explain such action to the lodge members before opening. For such, either before the opening or while in session, the S. W. has no right to call the W. M. to order. (1874. Rep. 65.)

287. Where the Grand Master suspends the Worshipful Master of a lodge, pending an investigation of charges against him, which the Grand Lodge does not sustain, the Grand Lodge may reinstate him to all the privileges he might have enjoyed had these charges never been made. (1874. Rep. 65.)

288. *Whereas*, The names of non-affiliated Masons in this Grand Jurisdiction appear in the returns of Subordinate Lodges, therefore,

Resolved, That hereafter none but the names of regular affiliating members be published in the Proceedings. (1874. Res. 67.)

289. That no man so maimed as to be unable to learn,

teach and exemplify the work, could be made a Mason. Hence the loss of leg, or arm, the sense of seeing, hearing or feeling would disqualify. (1875. Dec. 12. Blount, G. M.)

290. A non-affiliate has no Masonic right save that of petitioning a lodge for affiliation. (1875. Dec. 12. Blount, G. M.)

291. That dimitts granted before the passage of the resolution regarding non-affiliates by the Grand Lodge of 1874, with condition precedent as before required, did not sever the connection of the brother with it until the condition had been complied with. That his membership still existed, intact, with the lodge granting, which carried mutual obligation of the member to the lodge and the lodge to the member. (1875. Dec. 12. Blount, G. M.)

292. That a Mason, having taken a dimit before the last session of the Grand Lodge with the intent to affiliate with a lodge nearer his place of residence, or to join in petition for dispensation for a new lodge, is not debarred of any right he may have of preferring charges, or having difficulty between himself and a member of the lodge with which he proposes to affiliate investigated before he offers to affiliate. (1875. Dec. 12. Blount, G. M.)

293. A Mason dimitted since last Grand Lodge can not prefer charges against an affiliate, but he may give information which should be acted upon by the lodge, if the nature of the offense be such as to work scandal or reproach upon the Fraternity; but not if the charge be to gratify a private animosity or avenge a personal pique or individual quarrel. (1875. Dec. 12. Blount, G. M.)

294. To several inquiries answer was made that the Worshipful Master, Senior or Junior Warden, after installation, could not resign or dimit, and in one case, where the Worshipful Master had done so, I declared his action contrary to law, and that of the lodge in accepting and granting as null and void, and directed that the record be expunged. The Master so acting did so, I am satisfied,

believing his action was warranted by law, and for the best interests of the Craft, and was influenced by circumstances which he deemed justifiable. He is one for whom I have high personal regard, and whose Masonic work is well known and has been recognized by this Grand Lodge. He protests against my action. (1875. Dec. 12. Blount, G. M.)

295. That a motion to "lay on table" is admissible in Masonic bodies according to invariable precedent and general parliamentary law. (1875. Dec. 13. Blount, G. M.)

296. That lodge rooms should be used exclusively for Masonic purposes. Their use for balls, parties, etc., should be forbidden. Joint proprietorship with other societies is not favored, though this may be regulated by each lodge, according to its circumstances and surroundings. (1875. Dec. 13. Blount, G. M.)

297. That a Subordinate Lodge may proceed to receive and act upon the petition for affiliation of a Master Mason whose lodge has become defunct, without the certificate of the Grand Secretary, as provided by resolution, on satisfactory evidence from the Grand Secretary that such certificate can not be given by reason of loss of the records by fire, or otherwise. (1875. Dec. 13. Blount, G. M.)

298. That the jurisdiction of lodges, in adjoining villages is, in respect to the villages, confined to their own corporate limits. As to material outside and beyond the town lines, the rule as to proximity by nearest route of travel prevails, e. g., the lodge situate in Salem can not use material resident in Winston (an adjoining town) without the consent of the lodge in Winston. (1875. Dec. 13. Blount, G. M.)

299. Non-payment of a debt, from one brother to another, unaccompanied with any fraudulent intent, is not sufficient ground on which to base Unmasonic conduct. The unfortunate circumstances of a brother should call for commiseration rather than a visitation of punishment. (1875. Dec. 13. Blount, G. M.)

300. Accused can not testify in his own behalf, the lodge may hear his statement, giving it such weight as it deserves. The testimony of a freedman is competent, taken as the testimony of other profanes. As to the credibility of any testimony the lodge must be the judge, from the character of the witness, his demeanor, and the general bearing on the stand. (1875. Dec. 13. Blount, G. M.)

301. That testimony taken in a civil suit is not competent, and can not be read in evidence against one accused of Masonic crime in a trial by a lodge, nor can the letters of a non-resident, in answer to questions touching the case, unless by the consent of the accused and the lodge. Conviction by the civil courts does not, of course, carry conviction by the lodge. The Mason under charges must be tried according to Masonic usages. (1875. Dec. 13. Blount, G. M.)

302. That a petition for the degrees must be presented at a regular meeting and lie over a month, under reference to the usual Committee of Enquiry into Character. Being about to travel, to be absent several months, is not such an emergency as would justify the suspension of the law by dispensation, except, perhaps, in the case of a young man who had just attained majority. The sudden discovery of a "favorable opinion of the Ancient Institution," on the eve of a journey, smacks rather much of a desire for the secrets of Masonry for other purposes than a desire for knowledge. Masonry is designed for the education and enlightenment of its votaries, and not for convenience solely. (1875. Dec. 14. Blount, G. M.)

303. That a unanimous ballot was necessary to restore an expelled or suspended Mason. He should not expect higher privileges than one holding in his hand a certificate of his being in good standing in his former lodge. (1875. Dec. 14. Blount, G. M.)

304. That the marriage of a Mason's widow annuls her claims as such to Masonic charity, but does not affect the rights of the children. (1875. Dec. 14. Blount, G. M.)

305. That no one has a right to question a brother's vote on petition for degrees or membership, no one has a right to know how another voted. It is Unmasonic to disclose how any one voted or to exhibit his ballot that it may be known. (1875. Dec. 14. Blount, G. M.)

306. Non-age of applicant, good ground for adverse report of Committee of Enquiry, petition filed and referred, must take the regular course, it cannot be withdrawn. (1875. Dec. 14. Blount, G. M.)

307. A levy of a tax by way of contribution for a benevolent object is not unconstitutional. (1875. Dec. 14. Blount, G. M.)

308. The resolution forbidding Mock Masonic burial has been repealed. It should not be favored except under peculiar circumstances. (1875. Dec. 14. Blount, G. M.)

309. A charge once preferred and filed by the lodge, over the signature of a Master Mason, must take the regular course of trial prescribed; the subsequent preferring of charges against the Master Mason signing the first does not hinder the prosecution. (1875. Dec. 14. Blount, G. M.)

310. In a Masonic trial the lodge should be opened on the third degree, and should be called off when the evidence of two profanes was being taken to sustain the charges. (1875. Rep. 43.)

311. An appeal from the findings of a Subordinate Lodge must state the grounds upon which an appeal is prayed, in writing, and must be filed with said lodge within thirty days from the day the issue is decided by the lodge. (1875. Rep. 48.)

312. Where a brother wilfully and contemptuously refuses to obey a legal Masonic summons, he was properly expelled. (1875. Rep. 50.)

313. That the arrest of the charter of a lodge does not work any detriment to the Masonic character of the individual member, any more than temporary voluntary cessa-

tion of work by a lodge would, and hence the individual members of a lodge under such disability might visit and enjoy the other rights and privileges of a Mason. (1876. Dec. 16. Blount, G. M.)

314. A member of such lodge may petition for affiliation in other lodges, the certificate of the custodian of the books to the effect that such member was in good standing at the time of the arrest of the charter and clear of the books, answering for dimit from working lodge—or the certificate of the Grand Secretary as to the defunct lodge. (1876. Dec. 16. Blount, G. M.)

315. A was tried and convicted by his lodge and sentence voted; he takes an appeal to the Grand Lodge. The Grand Lodge sustains the appeal, finding that the charge was frivolous, not affecting Masonic character, and reverses the judgment of the lodge; what is the status of A?

I answer that he stands acquitted and entitled to the privileges of his lodge as though no trial had been had. The appeal vacates the judgment, and the sustaining of the appeal by the Grand Lodge is vindication of the accused. It is a mistake to suppose that this is a restoration by the Grand Lodge, for until approved by the Grand Lodge, after appeal, the action of the lodge is not complete. Restoration implies deprivation previously existing. If a brother is tried and expelled, and the sentence is confirmed, the law says he may be restored by the lodge expelling or by the Grand Lodge, upon his own petition and such evidence of penitence and reformation as to it may appear satisfactory. If he choose to apply to the Grand Lodge and is restored, this action of the Grand Lodge does not work a restoration to membership in his lodge. To obtain that he must petition regularly for affiliation, and be admitted by unanimous ballot. (1875. Dec. 16. Blount, G. M.)

316. That a Past Master, on the invitation of the Master, might legally open a lodge and conduct the business of the meeting, if one of the principal officers was present and assenting. (1876. Dec. 16. Blount, G. M.)

317. That a Master must have first served as Warden, and in two instances I refused to grant dispensation to install as Master such as had not served as Warden; though the appeals in behalf of such action were strong, setting forth eminent qualification, high social position, great Masonic learning and great benefit to the lodge. I hope yet to hear of the installation of these brethren as Masters, and that they may be instrumental in spreading the true light of Masonry from the seat in the East. (1876. Dec. 17. Blount, G. M.)

318. That it is not necessary for the purposes of a Masonic trial, under Article XIV, Section 2, Code, that the members of a lodge be served with legal Masonic summons. It is sufficient that they be "notified" of the character of the special meeting, and the date. The Master may, in his discretion, order legal Masonic summons to issue, and he should do so if the importance of the case for trial, or the delinquency of members in attendance upon lodge meetings, is such as to warrant it. (1876. Dec. 17. Blount, G. M.)

319. In the case from ——— Lodge, of expelling a brother charged with Unmasonic conduct in refusing to pay a brother a debt of seventeen dollars and fifteen cents, we recommend it be reversed. In this case, the Master refused to permit a gentleman, who was not a Mason, to appear as counsel for the accused.

The lodge erred in taking jurisdiction over a simple case of debt due from one member to another. A lodge is not a court for the collection of debts, and has no right to inflict any penalty, much less the severe one of Masonic death, upon a brother whose poverty or bad fortune may have rendered him temporarily unable to comply with his business contracts. (1876. Rep. 38.)

320. In the case from ——— Lodge, against two brothers, who were charged with Unmasonic conduct, with specifications, 1st, Disobedience of legal summons; and, 2nd, non-payment of dues; who were found guilty and a

sentence of indefinite suspension imposed, your Committee report that the above mentioned punishment is unconstitutional and void, because it does not appear that the disobedience of summons was wilful, and recommend that the case be referred back to the lodge that it may impose the proper punishment, and call attention of the lodge to By-laws, Article XIII, Section 9. (1876. Rep. 42.)

321. A motion seconded and stated by the presiding officer, is the property of the lodge, and can not be withdrawn without their consent. (1877. Dec. 14. Munson, G. M.)

322. All members, in good standing, are entitled to vote, even if it be on their own petition for dimission. (1877. Dec. 14. Munson, G. M.)

323. A member, in good standing, has the right of speaking to any question before the lodge, unless a point of order be raised, which must be decided by the Master. (1877. Dec. 14. Munson, G. M.)

324. Member's present at a Regular Communication decide questions coming before the lodge; and such decision is legal, notwithstanding the whole membership is not present. (1877. Dec. 14. Munson, G. M.)

325. All members present are obliged to vote. If they do not so desire, the Master can permit them to retire until after the vote is taken. (1877. Dec. 14. Munson, G. M.)

326. A motion seconded and stated by the presiding officer must be put, unless properly withdrawn, the Master can not ignore it. (1877. Dec. 14. Munson, G. M.) (3.)

327. A brother, in good standing, cannot be restrained from balloting, even if he has declared his intention of blackballing the candidate. (1877. Dec. 14. Munson, G. M.)

328. Illicit distilling is sufficient ground upon which to base charges against a brother, and no hesitancy should be had in acting accordingly. (1877. Dec. 14. Munson, G. M.)

329. Financial difficulties between Masons should, if possible, be adjusted amicably, but it is not Unmasonic, when other means fail, to bring an action at law. (1877. Dec. 15. Munson, G. M.)

330. A Master has the power to summon orally, but otherwise the summons should be issued through the Secretary, in writing, with seal of lodge attached. (1877. Dec. 15. Munson, G. M.)

331. A certificate of dismission is not legal unless it bears the seal of the lodge by which it is issued. (1877. Dec. 15. Munson, G. M.)

332. No certificate of dismission should be granted a brother against whom it is proposed to bring charges; if their validity is not sustained, then the certificate may be granted. (1877. Dec. 15. Munson, G. M.)

333. The law does not specify when summonses shall or may be issued, that power being discretionary with the Master. (1877. Dec. 15. Munson, G. M.)

334. A notice with seal of lodge and signature of the Secretary, mailed through the postoffice to a brother's supposed or last known place of residence, is a legal notice. (1877. Dec. 15. Munson, G. M.)

335. Two persons, one a Mason, the other a profane, having differences of a private character antecedent to the initiation of the latter, remain unreconciled, when it comes to the knowledge of the initiate that the brother proposes to use the blackball when he applies for advancement, the initiate being a man of irreproachable character and good citizen, the lodge generally being exceedingly desirous for his advancement, ask what to do. A brother has the right to object without a question, and such objection, till removed, acts as a barrier to such advancement. Though unwise, it is not Unmasonic to declare what he will do in certain cases proposed. The criminality lies in declaring the act performed; for instance, you can not try a Mason for saying he will blackball a candidate; but if after he is black-

balled, he makes the declaration that he has done so, he violates an edict of the Grand Lodge, and he is liable to prosecution. (1877. Dec. 15. Munson, G. M.)

336. Dispensation asked, to entertain the petition of a profane belonging to the jurisdiction of another lodge, with the assurance that said lodge would sanction such arrangement. Dispensation refused; let the petitioner apply to the lodge in whose jurisdiction he properly belongs. If elected, and they desire you to confer the degrees, the fees can be arranged between you. (1877. Dec. 15. Munson, G. M.)

337. A. B. filed a petition for the degrees, and was elected; but before conferring, heard he had been rejected in another lodge, what is my duty in the case? Obtain permission of the rejecting lodge to entertain the petition; if refused, return the petition, with fees. (1877. Dec. 16. Munson, G. M.)

338. A. B. was initiated an Entered Apprentice, petitioned for the second degree, and was rejected. At a subsequent meeting a reconsideration was had, he was elected and notified to present himself for advancement. At the next regular meeting, upon a reading of the minutes, a brother objected to the advancement of the candidate, considering the reconsideration illegal, and moved to lay the matter before the Grand Master—objection sustained. No reconsideration of a ballot is legal, the proper mode being a repetition. (1877. Dec. 16. Munson, G. M.)

339. A lodge desires a remittal of the dues of a brother who wishes to affiliate with it, giving reasons therefor—said dues owing the lodge to which he formerly belonged, and which had become extinct. Held that the Grand Master had no power to act in the premises, the remedy, if any, to be applied by the Grand Lodge. (1877. Dec. 16. Munson, G. M.)

340. Has a W. M. the power to place a P. M. in the East to confer degrees, when the Senior Warden and the

Junior Warden are present and willing to serve? He has, provided he is present while the chair is so filled, he being the best judge of the qualifications of his Wardens. (1877. Dec. 16. Munson, G. M.)

341. If a brother presides in the Worshipful Master's presence, who is to wear the jewel of his office? The brother occupying the East must be recognized as the Worshipful Master, and wear the jewel appertaining to the office. (1877. Dec. 16. Munson, G. M.)

342. It is necessary to reinstall reelected officers, because being elected for one year only, their obligation does not extend beyond that period. (1877. Dec. 16. Munson, G. M.)

343. Any Past Master in good standing is competent to act as installing officer. (1877. Dec. 16. Munson, G. M.)

344. Any Master Mason in good standing can preside in the East, being called thereto by competent authority, such authority remaining present while the East is so filled. (1877. Dec. 16. Munson, G. M.)

345. No brother can be admitted to membership while residing in another Grand Jurisdiction, our Masonic progress being barred by State lines. (1877. Dec. 16. Munson, G. M.)

346. Officers elect and absent at the time of installation can not be installed by a representative, unless said officer assents thereto, because an obligation taken by one person can not be binding upon another. (1877. Dec. 16. Munson, G. M.)

347. *Resolved*, That the Committee on Jurisprudence be required to report at this Grand Communication whether a Mason who has been an officer of the Grand Lodge, but is at present non-affiliated, is entitled to a seat in the Grand Lodge?

Your Committee beg to report that in their opinion the Past Grand Officers mentioned in Article I, Section 1, of

the Constitution, are entitled to membership in the Grand Lodge so long as they comply with Article XIII, Section 1, of the By-laws of the Grand Lodge, and the other rules and regulations prescribed for the government of the Craft. (1877. Rep. 36.)

348. A petition comes from a number of the members of former ——— Lodge, now defunct, asking for the restoration to the rights of Masonry of a brother who was suspended over two years ago. The petition takes no official form; does not state that the petitioners constitute a legal majority of the lodge; does not mention the offense for which he was suspended, nor whether there has been reparation or reformation, nor application on the part of the suspended member for restoration. We, therefore, recommend that the petition be returned for amendment, and to be sent up in a more regular form, if desired by the lodge. (1877. Rep. 43.)

349. In a case from ——— Lodge. A very singular case. There appears to be no charge against Mr. Smith's moral character, but in open lodge he stated that he had conscientious scruples against being a Mason; that he had derived no benefit from it; that he would never sit in another lodge or obey another summons; and that he believed its teachings were contrary to the Bible. Upon the trial he reiterated these opinions, and said he desired to be cut off from the lodge, and much of the same import. From the whole case, it strikes the Committee that a disinclination to pay dues had much to do with Mr. Smith's scruples. Expulsion by the lodge confirmed. (1877. Rep. 45.)

350. In the case from ——— Lodge, charged with gross Unmasonic conduct, upon a specification of failure to obey a legal summons, the party not only failed to obey the summons, but said that the lodge might do what they pleased, he would pay no attention to it, we recommend that the sentence of expulsion be affirmed. (1877. Rep. 45.)

351. In a case from ——— Lodge, where a brother was charged with a single act of drunkenness, and suspended for six months, the Master sends up an appeal for mercy, the brother having expressed contrition for his offense, and the Committee approve the appeal, and recommend the sentence be changed to a private reprimand by the Master. (1877. Rep. 45.)

352. In the case from ——— Lodge, the brother was tried upon several specifications, the first of which is strong enough to warrant the sentence, and the evidence raises a strong suspicion of guilt, but, unfortunately, it is purely hearsay testimony, and the lodge can not properly act upon it. The same thing is true of the third specification. As to the second specification, which is for failing to pay a draft, though able, the Committee are of the opinion that the assistance of Masonry to collect debts should be rarely invoked, if ever, and we should hesitate to have the sentence of indefinite suspension affirmed upon the least important of the specifications. If the accused had collected money for a distressed Master Mason's widow and failed to pay it over, let him be tried for that; let the witnesses be examined by the lodge, which can be temporarily called off if the witness is a woman or a profane; and if he is found guilty, let him be suspended or expelled. We, therefore, recommend that this case be returned to the lodge for a new trial. (1877. Rep. 45.)

353. In the case from ——— Lodge, who expelled a brother for violating his obligation, in that he used low and abusive language concerning a Master Mason, and that he struck a Master Mason, the said blow not being in self-defense, we recommend it be affirmed. (1877. Rep. 49.)

354. In the case from ——— Lodge, who expelled ——— for receiving ten dollars from a profane to be paid to the lodge as a part of the fees for the three degrees, and converting the same to his own use and not paying the same to the lodge, we recommend that it be affirmed. (1877. Rep. 50.)

355. In the case from ——— Lodge, a transcript is sent up which is fatally defective in the following particulars: 1st, It does not appear that the charges and specifications were ever properly made. 2nd, It does not appear that the accused was served with a copy of the charges and specifications ten days before the day appointed for trial. 3rd, A deposition taken before the coroner's jury was the only evidence before the lodge, and this not set out. The charge was murder, and we recommend that the transcript be returned to the lodge, and that a new trial be ordered. (1877. Rep. 50.)

356. *Resolved*, That the Committee on Jurisprudence be instructed to define the rights of a Master Mason, whose dimit and petition for affiliation have been filed with a lodge, pending the action of the lodge on the petition for membership.

Your Committee have had the same under consideration, and beg leave to report that your Committee are of opinion that the status of such Mason is that of a non-affiliated one. He has withdrawn from the lodge of which he was formerly a member, and does not become a member of the lodge receiving the petition until a vote has been had under the prescribed rules of the Craft, and a favorable result declared thereon. (1877. Rep. 51.)

357. The Committee, to whom was referred that portion of the Grand Master's address, which alludes to the fact that the great fundamental principle which underlies Masonry, to-wit: the belief in the God of the Bible, has been stricken from the constitution of a body of men who claim to be Masons, recommend the adoption of the following:

Resolved, That we denounce this innovation upon one of the Ancient Landmarks of Masonry as a blot upon civilization, the entering wedge by which Masonry will be brought into disrepute, and ultimately be made a by-word and reproach to Christianity; that the seal of condemnation of this Grand Body should be put upon this movement in its

incipiency, not to explain the belief of this Grand Lodge, but that those who are to come after us shall be apprised of the unmistakable position taken upon this question, and have the benefit and support of those who have gone before them. (1877. Rep. 57.)

358. The passages from the Bible, published in our Masonic charts and read during the introductory ceremonies of conferring the degrees, are intended, and when impressively read, well calculated to convey lasting impressions on the minds of the candidates, and, as a rule, should not be omitted, but the substituting of music, either vocal or instrumental, especially when the Scriptures are paraphrased so as to be chanted or sung, as is almost the invariable rule in Masonic music, is a matter for the discretion and good judgment of intelligent Masters of lodges, where we think it may be safely intrusted. (1877. Rep. 62.)

359. Q. Would the testimony of an expelled Mason be admissible in a Masonic trial?

A. It would not under certain circumstances. If expelled on account of a violation of his O. B., he would not hesitate to falsify his word. (1878. Dec. 8. Munson, G. M.)

360. Q. Can a Secretary use the seal of the lodge without authority from the lodge?

A. He can, by order of the W. M. If he uses it otherwise, and it is made apparent, the lodge can apply the remedy. (1878. Dec. 8. Munson, G. M.)

361. Q. Can matters in the hands of the Reference Committee be withdrawn, and acted upon before they report?

A. A lodge can at any time withdraw any matter from the hands of any committee, and act independently thereupon. (1878. Munson, G. M.)

362. Q. If officers are elected, and installed in opposition to the law of the Grand Lodge, is such a lodge duly constituted, and are its acts legal?

A. Such an election and installation is illegal, and the

acts of a lodge so constituted are null and void. (1878. Dec. 8. Munson, G. M.)

363. Q. Can a candidate who has lost part of his shoulder bone be elected to take the degrees?

A. If he can comply with Sec. 1, Chap. 10, of the Masonic Code, and make the signs, he can. (1878. Dec. 9. Munson, G. M.)

364. Q. At a regular meeting of our lodge, a brother was elected Senior Warden, to which position he was subsequently installed by proxy. He declines the office, refuses to serve, and asks a dimit. What shall be done?

A. If the Senior Warden elect did not accept the position to which your lodge elected him, and give his assent to an installation by proxy, said installation is null and void, and he can not be compelled to serve the lodge in that capacity. If he has complied with the By-laws of your lodge, and no charges appear against him, he is entitled to a dimit. (1878. Dec. 9. Munson, G. M.)

365. Q. A B., an expelled Mason petitions for restoration, but before the next regular meeting of the lodge, wants to withdraw his petition; can it be done?

A. If the petition has not been presented to the lodge in regular meeting, the W. M. has the power to order its return; but if it has been so read, it is the property of the lodge, and must, like all other petitions, take the regular course. (1878. Dec. 9. Munson, G. M.)

366. Q. Is there any way an expelled member can be restored to all the rights, benefits and privileges of Masonry, except by the lodge which expelled him?

A. Yes; the Grand Lodge can grant such restoration, but the lodge only from which he was expelled can confer membership. (1878. Dec. 9. Munson, G. M.)

367. Q. When charges are brought against a member, and he submits and asks clemency, is not the lodge bound to grant it without an investigation and trial?

A. A trial would be superfluous, because the brother

submits; but it is discretionary with the lodge whether or not it will grant the clemency desired. (1878. Dec. 9. Munson, G. M.)

368. Q. Can a lodge legally elect officers at any other time than that prescribed in the Masonic Code?

A. They can not, unless by a dispensation of the Grand Master. (1878. Dec. 9. Munson, G. M.)

369. Q. Has the W. M. the power to order a false entry to be made in the minutes?

A. He may assume the authority, but he has no legal right. (1878. Dec. 9. Munson, G. M.)

370. In the records of ——— Lodge, we find that they seem to adopt the minutes of each meeting at the next succeeding meeting, when the regular custom is to adopt the minutes of each meeting before the lodge is closed. We also find that, on one occasion, balloting was done while the lodge was open in the E. A. degree, and that a F. C. was examined in proficiency in a Master Mason's lodge. (1878. Rep. 24.)

371. Where a transcript does not show that the specifications and charges were filed at a Regular Communication, or that the accused was served with a copy thereof ten days before trial, the evidence was irregularly taken, and set out obscurely, and no certificate is attached by the Secretary, it will be returned to the lodge for correction. (1878. Rep. 36.)

372. In the case of a brother from ——— Lodge, who was charged with being in a state of intoxication on the public streets, the evidence shows that the accused was considerably under the influence of liquor on a certain day. It is not shown that he was ever intoxicated before that day, or that he persisted in the practice of getting drunk "after due admonition and warning." He was indefinitely suspended. We do not think the offense justified the sentence of the lodge. It is recommended that the decision of the lodge be reversed, and that the accused be brought before the lodge and reprimanded. (1878. Dec. 46.)

373. In a case from ——— Lodge, a brother was accused with falsely charging a brother Master Mason with adulterating liquor, and that the brother (tried) endeavored to extort money from said brother Master Mason by threatening him with a prosecution in the federal court and incarceration in the Albany penitentiary; also charged with grossly slandering said brother Master Mason on divers occasions. The evidence fully warranted the finding and the sentence, and we recommend the action of the lodge be affirmed. (1878. Rep. 46.)

374. In the case from ——— Lodge, the accused was charged with slaying a fellow man, without due provocation or sufficient excuse, and was indefinitely suspended. The evidence fully warranted expulsion, and the accused has no right to complain of the lodge. We recommend that the sentence be affirmed. (1878. Rep. 47.)

375. The memorial from ——— Lodge, asking the Grand Lodge to define the jurisdiction of Subordinate Lodges, has also been examined by your Committee. The question involved in the memorial is, by what rule should the territorial jurisdiction of lodges be determined, by an air line, or by the most convenient routes of travel? We think an air line is the best. While there are many instances and many localities where boundaries other than air lines would be more convenient, yet, to avoid all possible complications and misunderstandings, it is best to be governed by an unchangeable rule. We, therefore, recommend that in determining the jurisdiction of Subordinate Lodges, the rule shall be by an air line. Wherever difficulties of this kind may exist, they may be easily obviated, either by a dispensation from the Grand Master, or by the consent of the lodges whose jurisdiction may be affected by such departure from established rules. (1878. Rep. 54.)

376. The Committee to whom was referred that portion of the Grand Master's address touching the proposition of the Grand Orient of France, to establish lodges in America in whose workings the existence of a Supreme Being will

be ignored and denied, recommend the adoption of the following resolutions:

Resolved, That the Subordinate Lodges of this Grand Jurisdiction be and they are hereby forbidden to receive, acknowledge or aid any person belonging to a lodge wherein the existence of a Supreme Being is ignored or denied.

Resolved, That any lodge or lodges established in this Grand Jurisdiction by the Grand Orient of France, will be clandestine lodges, and must be so treated by the members of the Lodge Subordinate Lodges working under this Grand. (1878. Rep. 57.)

377. A profane applies for admission into a lodge in this State and is rejected. He goes on a visit to his native land, Scotland, and while there receives the degrees. Upon his return to his home he presents his credentials and applies to enter the lodge.

The lodge should not receive him. He was a sojourner while abroad, and could only have been admitted into the lodge in Scotland by withholding important information, to-wit: the fact of his application and rejection in North Carolina. Surely he could not have been initiated had this been communicated to the lodge in Scotland, unless that lodge had been strangely unobservant of the common law of Freemasonry, that is, a candidate must apply for the degrees where he resides and is best known, and that one brother shall not supplant another in his work. (1878. Dec. 9. Cox, G. M.)

378. A receives the E. A. degree and thereafter the lodge in which he is initiated forfeits its charter. The members of that lodge then become the material of the nearest lodge. A certificate by the Secretary of the defunct lodge, reciting the fact that A had taken the E. A. degree, and requesting a more distant lodge to confer the remaining degrees, is entitled to no consideration. (1879. Dec. 9. Cox, G. M.)

379. A, residing near the State line, desires a dimit to join a nearer lodge in a neighboring State, and wishes still to

retain his connection with the Grand Lodge of this State. The jurisdiction of our lodges is determined by State lines, and this can not, therefore be allowed. (1879. Dec. 9. Cox, G. M.)

380. In Masonic trials truth is the object aimed at; verbal technicalities and objections are not favored, and should never be permitted to obstruct the ends of justice. The accusation should be clearly set forth and distinctly met. (1879. Dec. 9. Cox, G. M.)

381. When the accused employs counsel for his defense, the accuser may, with the consent of the lodge, employ counsel to prosecute. (1879. Dec. 9. Cox, G. M.)

382. Charges should always be preferred in writing, but if a brother, anticipating that charges will be preferred, asks a dimit, and another brother rises and verbally states the substance of the charges he intends to prefer, a reasonable time will be given for the preparation of the charges before the application for dimit is acted upon. (1879. Dec. 10. Cox, G. M.)

383. It is not necessary for the Committee on Orphan Asylum to report when they have collected nothing; but their next report or remittance must include the time not accounted for. It is difficult, however, to discover why there is nothing to remit, if there has been a communication. (1879. Dec. 10. Cox, G. M.)

384. A Master Mason, under sentence of indefinite suspension, can be tried for gross Unmasonic conduct committed since his suspension, and, if his conduct deserve it, be expelled. (1879. Dec. 10. Cox, G. M.)

385. A Master Mason dismembered for non-payment of dues is entitled to be restored upon petition accompanied by the payment of his arrears. (1879. Dec. 10. Cox, G. M.)

386. A lodge cannot entertain a petition from a minister for initiation unless accompanied by the fee; it can be returned to him if it be a genuine case of charity—not oth-

erwise. There is no distinction of callings or profession. (1879. Dec. 10. Cox, G. M.)

387. During the year I received a dispatch from a Past Grand officer inquiring whether I could issue a dispensation to bury with Masonic honors a highly esteemed citizen and physician who through inadvertance suffered his name to be dropped from the roll of his lodge. I replied that if it arose from inadvertance I could grant the relief. The dispensation, however, was not applied for and none was issued.

The attention of the Grand Lodge is especially directed to this ruling, inasmuch as some highly respected brothers differ with me, and regard this an innovation, contending that our Code provides that non-affiliates are excluded in all cases from the rite of Masonic burial. I concede that the Grand Master can do nothing which the Grand Lodge forbids him to do, in accordance with the Ancient Landmarks, but he can do all things else which long usage has recognized, even though there be no express law of the Grand Lodge granting the power. In other words, he should exercise a supervising care and guardianship over the Craft, and may do all things which are not positively forbidden in order to promote the well being of the Fraternity. Mitchell says in his Digest: "When the Grand Master is apprised of the existence of an error, evidently the result of ignorance, or even when a known law has been transcended under a firm conviction that the interests of Masonry imperatively demand it, he, in the recess of the Grand Lodge, not only has the power, but it becomes his duty to act." For example, if a lodge has acted without law the Grand Master may, in some instances, validate its action. Just as a court may set aside a judgment involving important rights, if obtained through "the inadvertance, surprise or excusable neglect" of another, so Masonry, ever seeking to administer the highest equity, should establish no more arbitrary rule or take advantage of the inadvertance of a brother. It is not claimed that the Grand Master can restore to membership, or can in any

manner interfere with the rights of Subordinate Lodges, but at the request of the brethren he may grant a dispensation in a case like the one under consideration. I am confirmed in this ruling by our eminent brother Albert Pike, who says in a letter to me: "If your Code is not preemptory, to the effect that one becoming non-affiliate shall not have Masonic burial, I think the expression 'not entitled to it' should only be taken to mean that such burial is not a matter of strict right, but can only be had when under the circumstances the party is not justly chargeable with having so neglected the duties of Masonry as not to have deserved the honor of Masonic burial." (1879. Dec. 10. Cox, G. M.)

388. In the case of the appeal of Bro. ——— and ten others from the decision of ——— Lodge in acquitting Bro. ———, and asking that a new trial be ordered, we recommend that the appeal be dismissed for the following reasons: 1, Because the appeal being substantially against the Master or the lodge is not signed by a majority of the members of the said lodge, as required by Section 1, Article XVII, of the Masonic Code. 2, Because the remedy, if any, is by bringing charges against the Master in accordance with Section 2 of Article XVII of the Masonic Code. (1879. Rep. 40.)

389. Visitors should not be admitted at trials except as counsel or witnesses. (1879. Rep. 46.)

390. One who is dismembered for non-payment of dues is entitled to be restored to membership upon his paying the amount that is due; that his application cannot be rejected unless charges are preferred against him, which may be done for causes which have arisen during his term of dismemberment. (1880. Dec. 8. Cox, G. M.)

391. In a case from ——— Lodge, the Grand Lodge approved the finding of guilty against a brother charged with gross Unmasonic conduct. The sentence of twelve months suspension was set aside, and the lodge directed to change the sentence from suspension to expulsion. (1880. Rep. 38.)

392. A Master Mason of moderate means, who has a wife and children dependent on him for support, can not be tried and suspended or expelled for not preventing his mother becoming a county charge. (1881. Dec. 9. Grainger, G. M.)

393. A petitioner whose leg has been amputated below his knee is ineligible to take the degrees. (1881. Dec. 9. Grainger, G. M.)

394. A petitioner whose knee is so stiff as to be unable to conform to the ceremonies of initiation, passing and raising, is ineligible to receive the degrees. (1881. Dec. 9. Grainger, G. M.)

395. A was initiated an E. A. in a lodge in South Carolina; his lodge became defunct; he afterwards moved to this State and applied to a lodge here for the second and third degrees. He is the property, Masonically, of the Grand Lodge of that State, and his petition can not be acted upon without the consent of that Grand Lodge, or its Grand Master, properly certified. (1881. Dec. 9. Grainger, G. M.)

396. In a case from ——— Lodge, the charge was "speaking evil of a brother Master Mason," and the specification was "Telling things to one R., a road master, etc., that were calculated to injure S., a Master Mason, and section master, with a view of having him (S.) discharged." The specification does not set forth the language used, the date of the offense, nor the place where the offense was committed.

The accused appeared as his own counsel, and was asked if he had reported S. with an intent to have him discharged. This he refused to answer. If he had not by his plea of "not guilty" denied the charge, this might have been taken as evidence against him. The other evidence introduced was a statement made by the accused before a committee of the lodge, which did not bear out the charge. The verdict was guilty and the sentence expulsion. The

charge was not sustained, and the decision of the Subordinate Lodge should be reversed, and the accused restored to all the rights of Masonry. (1881. Rep. 34.)

397. The Grand Lodge has authority to modify the decisions of all Subordinate Lodges. (1881. Rep. 35.)

398. In the case from ——— Lodge of Bro. ——— charged with taking cotton held by attachment, for which he was convicted and expelled, it is recommended that the proceedings of the lodge be set aside, the sentence reversed, and the brother restored to the rights of the Order, because; 1, It nowhere appears that the brother was not entitled to the possession of the cotton, or that taking the same was in any way an immoral or Unmasonic act, and the attempt of the lodge to adjudicate the validity of the process issued by the magistrate was entirely unwarranted.

2, It is not the duty of lodges to interfere with the action of parties in the courts, or to adjust any rights obtained therein; but in cases where a brother has been convicted by a court of some criminal offense, which would render him an unworthy member of the Order, it would be proper for a lodge having jurisdiction to try him, and, if found guilty, inflict the proper penalty. In the case before us no trial by a civil court was had, and of course, no penalty inflicted.

3, The sentence of expulsion is wholly unwarranted by the facts produced on the trial, and out of proportion to the offense, admitting it to be one of a Masonic character. (1881. Rep. 41.)

399. While instances may occur justifying and requiring the Grand Master to exercise his high prerogative in the face of a positive enactment, I am, after a service of two years as such, more than ever convinced that he should exercise it only in extreme cases and always with very great caution. Where the will of the law-making power has been regularly and properly ascertained it ought not to be disregarded or set aside, unless the circumstances are such as to satisfy him that the law-making power, acting thereon with

a knowledge of all the facts and circumstances, would reverse its action as to that particular matter. During the year I have had several very strong appeals for its exercise. I mention only a few. One, a request to allow a lodge to receive and act upon the petition of a preacher who had not resided twelve months within its jurisdiction; another, from a different lodge to allow it to confer the degrees upon a preacher without charging the fees required by law. I have a profound respect and very high regard for that worthy and honorable class of our fellow citizens, but our law is so plain that both were declined. Another lodge has balloted upon the petition of a very good man who was blackballed—the lodge desired to act upon the petition again before the expiration of the twelve months—declined. I will mention only one more. A non-affiliated Mason died—he had been excluded for non-payment of dues—his family wished the lodge to bury him with Masonic honors, and offered to pay his back dues for that purpose. I sympathized with his stricken and bereaved family. By his own act he had forfeited that right. The law declared he should not have such honors. I felt it my painful duty to enforce it and did so. (1882. Dec. Grainger, G. M.)

400. By Article X of the Constitution, “no new charter shall be granted but upon the petition of at least seven known and approved Master Masons.” By Sec. 1, Art. VI of the By-laws and Edicts of the Grand Lodge “dispensations for any new lodges may be granted upon petition to the Grand Master, or the Deputy Grand Master, of not less than seven worthy Master Masons.” Seven worthy and approved Master Masons being the smallest number to whom the Grand Lodge can grant a charter, or the Grand Master or Deputy Grand Master a dispensation for a new lodge, it follows that whenever the membership of any lodge is reduced, by any cause, below seven, its legal existence thereupon ceases, and it cannot thenceforth do any work, or transact any business whatever. Its property, furniture, jewels, funds, etc., become forfeited to the Grand Lodge, to be taken and

disposed of as directed in cases of suspension or demise of a lodge. (1881. Dec. 33. Grainger, G. M.)

401. In the case from ——— Lodge, where a brother was charged with refusing to pay for a still, we recommend that the proceedings of the lodge be set aside, the sentence reversed, and the brother restored to the rights of the Order, because we do not think it a subject for Masonic investigation. (1881. Rep. 39.)

402. Upon all such questions within proper jurisdiction, the best judgment and conscience of the Grand Master are the proper *criteria* of action. The facts and circumstances being in his possession he alone is best qualified to judge of the question of propriety. Upon this view of the case we sustain the action of the Grand Master in the premises, while a contrary decision and action upon equal conscientious motives would have been equally correct. Masonic law embraces not only the *lex scripta* but *lex non scripta*. The latter includes in its circle the Grand Master's prerogatives, one of which is the power of dispensation; and when properly determined, is as sacred and inviolable as the former. The Grand Master is the custodian in the several jurisdictions of Masonic tradition. It is his duty to transmit this code as pure as he received it. (1881. Rep. 42.)

403. A lodge U. D. and the nearest chartered lodge shall have concurrent jurisdiction over candidates for degrees, just as two chartered lodges in the same town have; for, if the absence of "territorial jurisdiction" be construed to include jurisdiction over candidates, the very purpose for which the embryonic lodge gets a dispensation may be defeated, and no report of those "initiated, passed and raised," which the face of the dispensation requires, can be made. This decision was suggested by the claim which a chartered lodge made of jurisdiction over a candidate who was in the prospective jurisdiction of a lodge U. D., and who had petitioned for the degrees to be conferred by said lodge. (1884. Dec. 8. Bingham, G. M.)

404. It is irregular for a lodge to have a special meet-

ing called to adjust differences between two brothers, and then prefer charges against one, and try him upon these charges at the same meeting. The Code expressly provides how and when such charges shall be preferred. (1884. Rep. 49.)

405. Where a brother had dimitted from a lodge four years before the trial of charges preferred against him, and at the time of the trial was a resident of another State, his former lodge in this State has no jurisdiction over him. (1884. Rep. 49.)

406. In the case of Brother ———, from ——— Lodge, your Committee beg leave to report:

1st, That, in the judgment of the Committee, the action of the lodge in suspending the accused indefinitely should not be sustained, for the reason does not show he was guilty of any Masonic offense, but rather that it was a simple and quiet controversy concerning the ownership of a dog.

Wherefore, your Committee recommend that the sentence of the lodge in said case be reversed, and they further suggest that the said lodge should be censured for placing upon trial any one of its members upon specifications manifestly so trivial. (1885. Rep. 29.)

407. *Resolved*, That it is the sense of the Grand Lodge that a dimit take effect at the time the application for the same is acted upon by the Subordinate Lodge, and that the time of its actual delivery by the Secretary has no bearing on its status. (1885. Res. 42.)

408. A member of a lodge was adjudged a lunatic in 1861, and was sent to the asylum. The Secretary, without any action by the lodge, dropped his name from the rolls. He has recently been discharged from the asylum as cured. Held, that neither the Secretary, nor, it would seem, the lodge, had any right to drop his name. He remains a member of the lodge, and it requires no vote to reinstate him. As for his dues during the period of his insanity, it is not

to be presumed that any lodge would seek to exact them. Insanity is a disease, and does not alter the relation of a Mason, thus afflicted, to his lodge; except that no lunatic can enter the lodge room. (1886. Dec. 8. Busbee, G. M.)

409. A Mason becomes a member of a lodge when he signs the By-laws. If, after he is raised, a Mason refuses to sign the By-laws, or, after he is warned, neglects to do so, he becomes non-affiliate and not entitled to Masonic benefits. A member of a lodge excluded for non-payment of dues, and afterwards reinstated, upon payment, is not required to sign the By-laws a second time. (1886. Dec. 9. Busbee, G. M.)

410. An Englishman (or other alien) not naturalized, resident in this Jurisdiction for twelve months or more, is eligible to initiation and membership. (1886. Dec. 9. Busbee, G. M.)

411. A Master of a chartered lodge during the year for which he was elected, whether he has changed his residence or not, cannot be appointed Master of a lodge under dispensation. (1886. Dec. 9. Busbee, G. M.)

412. A deacon, being an installed officer, under the North Carolina Code, cannot receive a dimit for the year for which he was appointed. (1886. Dec. 9. Busbee, G. M.)

413. A failure to attend a lodge in answer to a summons requiring a delinquent to appear and show cause why he should not be dismembered for non-payment of dues, is an admission of the justice and propriety of the dismemberment. Unless there are unusual circumstances attending the case it does not warrant the lodge in trying the delinquent for wilful disobedience of summons. Especially is this true when the delinquent is a non-resident. (1886. Dec. 9. Busbee, G. M.)

414. A Mason is indicted for murder, convicted, granted a new trial in the appellate court, re-tried, convicted of manslaughter and sentenced. Charges were preferred

against him and the trial postponed to await the verdict in the courts. Held, that the notes of evidence in the courts were not evidence against him, unless admitted by consent; but that upon a charge that he had been guilty of a felony a record of his conviction would be *prima facie* evidence, and unless rebutted to the satisfaction of the lodge would justify a verdict of guilty. (1886. Dec. 9. Busbee, G. M.)

415. After a favorable ballot upon a petition for the degrees in the usual form, and the initiation of the candidate, any member of the lodge may demand the ballot upon the advancement of the candidate, and cannot be questioned as to his reasons or motives. This is the law in North Carolina; the practice is not uniform in all the jurisdictions, some requiring reasons to be stated, and others allowing no ballot after the general one. (1886. Dec. 9. Busbee, G. M.)

416. A dispensation should not be granted to permit a candidate to be balloted for who has not resided within the jurisdiction of the lodge for twelve months; in such case the consent of the lodge having jurisdiction in the place from which the candidate removed should be obtained. (1886. Dec. 9. Busbee, G. M.)

417. A Mason who had become non-affiliate by non-payment of dues (his failure to pay arising partly from want of means caused by ill-health), desires to be reinstated, and had slowly accumulated, by day labor, money to pay his dues. He was taken ill and died before reinstatement. Upon a petition by the lodge for a dispensation to bury him with Masonic honors. Held, that as it was stated that if the facts had been fully known the Mason would not have been dismembered, it was one of the rare cases in which a dispensation should be granted to bury a non-affiliate with Masonic honors. (1886. Dec. 9. Busbee, G. M.)

418. That portion of the Grand Master's address marked as Decision No. 10 having been referred to them, they are of opinion that the action of the Grand Master should be

sustained and approved, owing to the peculiar circumstances attending the case considered by him.

In rendering this opinion your Committee have looked to the motives which evidently influenced our Grand Master in this seeming departure from the law as we have heretofore understood it. In the exercise of his discretion he has, in our opinion, shown the high regard in which he holds the privileges, as well as the rights, of a Master Mason.

But your Committee desire particularly and emphatically to call the attention of the members of the Grand Lodge to the fact that this decision should not be viewed in the light of a precedent.

The penalty of non-affiliation is clearly and unequivocally prescribed by law, and rare indeed should be the case which warrants its remission. (1886. Rep. 43.)

419. No dispensation will be granted to permit a lodge under dispensation to work with less than seven members of the lodge. (1886. Dec. Busbee, G. M.)

420. In no case from a general verdict of not guilty, can an accuser or any Master Mason take an appeal to the Grand Lodge. In the Committee's opinion, such a verdict ends the case, and the brother accused cannot afterwards in any manner be placed in jeopardy of his Masonic life upon the same charge. In connection with the decision reported, the minority report asks the question: "Can an accuser, on the trial of a brother for Unmasonic conduct, or any other charge, appeal from the decision of the lodge on a general verdict of not guilty?" which they answer: "It is the sense of the Grand Lodge of North Carolina that an accuser shall have the right of appeal from a general verdict of not guilty to the Grand Lodge," which minority report was voted down. (1886. Rep. 31.)

421. Respecting the case of a brother from —— Lodge, the Committee are of the opinion that the evidence does not disclose such facts as would warrant a sentence so severe, and recommend that the sentence be revoked and the judgment of expulsion be reversed. The charge is for

drunkenness, and the evidence does not show that the accused is an habitual drunkard, nor does it show that milder measures were first adopted for his reformation. The evidence being so slight, your Committee have not felt themselves warranted in even recommending the infliction of a punishment less in degree than expulsion. (1886. Rep. 38.)

422. Respecting the case of —— Lodge vs. ——, your Committee are of opinion that the judgment of Subordinate Lodge should be set aside and the sentence revoked. This is a case in which the brother was accused of drinking intoxicating liquors, selling spirituous liquors and abandoning his family. At a Special Communication appointed for his trial, he, although notified, failed to appear. At the next Regular Communication a specification was added that he had failed to obey a lawful summons. Another Special Communication was ordered, and the accused was tried upon the last named specification and was declared expelled. There appears no evidence in the transcript furnished your Committee, proof of this specification, under the circumstances does not support the charge of Unmasonic conduct. And further, it is not shown by the transcript that any copy of this last specification was ever furnished the accused. Before leaving this case, your Committee desire to intimate that, in their view, the accused may still be tried upon the charge, supported by evidence establishing the truth of the specification that he has abandoned his family, or upon a charge of habitual drunkenness, if by proper and convincing evidence it can be made to appear that he is an habitual drunkard. (1886. Rep. 38.)

423. A Mason applying for membership, with a dimit, does not come within the operation of the section of the Code, Art VI, Sec. 8, which requires twelve months previous residence before the petition can be entertained. (1887. Dec. 10. Busbee, G. M.)

424. A Mason was elected Treasurer; after his election, but before his installation, it was discovered that his

financial record towards his creditors was very unsatisfactory, but the lodge did not care to prefer charges upon this account. The advice was given to pass a By-law requiring the Treasurer to give a bond. (1887. Dec. 10. Busbee, G. M.)

425. When a petitioner had been rejected by one of the two lodges in a town, and after twelve months applied to the other, and consent of the first lodge was sought by the second to entertain the petition. Held, that it required only a majority vote to grant such permission to the second lodge. A clear ballot was not required. (1887. Dec. 10. Busbee, G. M.)

426. A dispensation to elect a Secretary in the place of one who has removed to Chicago. The duties of Secretary must be performed until the end of the Masonic year by a Secretary pro tem. So a Tiler appointed to fill a vacancy caused by death is a pro tem. Tiler, and need not be installed. (1887. Dec. 10. Busbee, G. M.)

427. A non-affiliated Mason has no right to visit any lodge; but may be invited to visit any lodge once. The fee of a non-affiliate upon a petition for membership is only the fee for membership, not for the degrees. (1887. Dec. 10. Busbee, G. M.)

428. A Senior Warden presiding has no right to call a Special Communication if the Worshipful Master is within the jurisdiction of the lodge. The call is the act of the Worshipful Master and not of the presiding officer. (1887. Dec. 11. Busbee, G. M.)

429. A petitioner who has lost his right thumb and part of two of his fingers can not be elected to receive the degrees. No dispensation can be issued authorizing it. (1887. Dec. 11. Busbee, G. M.)

430. An officer elect can be installed by proxy when he is unavoidably absent, but not against his protest. A brother can not be elected against his wishes, installed by

proxy and forced to serve. An installation under such circumstances is void. (1887. Dec. 11. Busbee, G. M.)

431. "Assessments upon the members of a lodge for Masonic charity are not unconstitutional." As to what is charity, in ordinary cases, the lodge must decide. Decision of 1885, Page 90, affirmed. (1887. Dec. 11. Busbee, G. M.)

431a. Where a profane lives six months in the jurisdiction of one lodge, and the other six months of each year he resides in the jurisdiction of another lodge, he may petition either lodge. (1887. Rep. 43.)

432. The solid foundation on which we build is belief in God. "No atheist can be made a Mason." Belief in God carries with it the belief in His control of the universe and the direction of all affairs, and this involves a belief in our individual responsibility to Him, and the duty of conforming to His moral law. There is no place in our Order for anarchists or conspirators against government and law; the teachings of Masonry accord with the law of God. (1888. Address. Robinson, G. M.)

433. Every wilful violation of the criminal law of the land by a Mason is a Masonic offense, regardless of the fact that the person against whom it is committed be not a Mason. (1888. Dec. 11. Robinson, G. M.)

434. Can a lodge dimitting a member bring charges against him for an offense alleged to have been committed before the dimit was granted? Held, that it can. [Mitchell's Digest, Vol. 2, page 577.] (1888. Dec. 11. Robinson, G. M.)

435. No Mason can be called to account for the vote he has deposited. No enquiry on this subject can be entertained, no information can be received. [Mackey's Masonic Jurisprudence.] (1888. Dec. 11. Robinson, G. M.)

436. A petition for degrees must be signed by the petitioner; can not be signed by a proxy. (1888. Dec. 11. Robinson, G. M.)

437. A Subordinate Lodge tried and indefinitely suspended three of its members, and these suspended brethren appealed to this Grand Lodge. They then claimed the right to visit the lodge as usual, on the ground that the appeal vacated the judgment.

Article XIV, Section 7, as amended in 1886, is as follows:

"A Mason whose appeal from the sentence of a lodge is sustained by the Grand Lodge is acquitted, and entitled to the privilege of his lodge as though there had not been a trial; the appeal vacates the judgment, and the sustaining of the appeal is a vindication of the accused." I do not understand this to allow suspended Masons the privileges of the lodge until the appeal is heard and decided, and I instructed the Master to keep them out of his lodge. (1889. Dec. 9. Robinson, G. M.)

438. The Committee on Jurisprudence, to which was referred the decision of the Grand Master relative to the right of a Mason expelled or suspended, but who has appealed to the Grand Lodge, to visit the lodge pending the appeal, beg leave to report that, in the opinion of the Committee, the decision of the Grand Master is in accordance with Masonic law and usage. (1889. Rep. 29.)

439. In the case from ——— Lodge, your Committee recommend that judgment be reversed, for the reason that summons is illegal, not having seal of the lodge, and not specifying charges as required by Code, and for the further reason that it appears in evidence returned with appeal that the lodge commenced the trial an hour earlier than time indicated in summons. (1889. Rep. 37.)

440. In this connection it may not be amiss to emphasize some facts which are occasionally overlooked. It is not in the power of the Grand Master to reverse a ballot, to permit a second ballot to be taken upon a petition at a subsequent meeting, to allow an application for degrees to be entertained until twelve months have elapsed since such application was rejected, to grant a dispensation to entertain a petition from a sojourner or non-resident. Requests of

this character have been received by me, and have been unhesitatingly refused. The same Masonic law governs the humblest Entered Apprentice and the Grand Master. The highest prerogative of the Grand Master is to expound the law, and set an example to the Craftsmen and lodges over whom he presides, by a faithful, unwavering adherence to its tenets. (1890. Dec. 10. Smith, G. M.)

441. No candidate should be advanced until he has made suitable proficiency in the preceding degree. (1891. Rep. 19.)

442. A Mason convicted in a Subordinate Lodge is entitled to no Masonic privileges during the pending of the appeal. (1891. Rep. 37.)

443. The highest exponent of Masonic law in North Carolina is the Grand Lodge. From its decision there is no appeal.

It can make, and, if desirable, construe the law.

Every Mason is bound by a most solemn obligation to respect and "obey the edicts of the Grand Lodge."

When this tribunal says, thou shalt, or thou shalt not, I know of no power to avoid a rigid observance of its mandates, nor indeed should we desire to do so. Hence, I have refused to authorize by dispensation anything plainly forbidden in our Code.

To illustrate, the law says a petition shall lie over one month. I have been asked to allow lodges for reason, not expressly mentioned as an exception, to act before the expiration of the month. This I have refused, because I had no power to act. (1892. Dec. 11. Gudger, G. M.)

444. Dispensation refused to permit a Mason to be elected Master who had not served as a Warden. (1892. Dec. 11. Gudger, G. M.)

445. Dispensation refused to permit a lodge to entertain the petition of a sojourner not having permission from the Grand Jurisdiction from which he hails. (1892. Dec. 12. Gudger, G. M.)

446. Dispensation refused to re-ballot before the expiration of twelve months from date of rejection. (1892. Dec. 12. Gudger, G. M.)

447. Dispensation refused to allow a lodge to act upon a petition at a special meeting. (1892. Dec. 12. Gudger, G. M.)

448. Dispensation refused to permit a new, or second, ballot after the meeting closed at which the applicant was rejected. (1892. Dec. 12. Gudger, G. M.)

449. Dispensation refused to allow an officer to resign and install another in his stead. (1892. Dec. 12. Gudger, G. M.)

450. If a lodge has acted on a petition for degrees and conferred one or more degrees, not having raised the candidate, or if the candidate has been elected only and the lodge discovers that it has no jurisdiction, it should not proceed further without the written consent of the lodge having jurisdiction. (1892. Dec. 12. Gudger, G. M.)

451. A candidate having a stiff knee is physically disqualified for the degrees; so also a man with only one leg. (1892. Dec. 12. Gudger, G. M. See also P. 48.)

452. The meeting of a lodge at any other hour than that fixed by the By-laws is not a regular meeting. (1892. Dec. 12. Gudger, G. M.)

453. A lodge having jurisdiction of a candidate may grant permission to another lodge to entertain the petition of such candidate for the degrees by a unanimous vote; a majority vote is not sufficient. (1892. Dec. Gudger, G. M.)

454. A man who can not read or write is eligible to the degrees of Masonry, if otherwise qualified. (1892. Dec. 12. Gudger, G. M.)

455. A lodge can entertain a petition of a dimitted Mason for membership, whether he lives in the jurisdiction or not. (1892. Dec. 12. Gudger, G. M.)

456. If a member of a lodge objects to the initiation,

passing or raising of a candidate, it is the duty of the lodge to arrest proceedings until such objection has been withdrawn; and if the member that objects takes his dimitt from the lodge such act has the effect of withdrawing the objection. (1892. Dec. 12. Gudger, G. M.)

457. Cerneauism has not yet made its appearance in this Grand Jurisdiction, though I have reason to suspect that efforts will be made to introduce it.

In the absence of Grand Lodge action, I have determined to interdict it. Now that the Grand Lodge is in session, I present the question to you for consideration. In my judgment this Grand Lodge should emphatically condemn it. It has given much trouble in some of our sister jurisdictions; in one (Iowa) going so far as to invoke the assistance of the civil courts to more substantially enforce its establishment. And in Ohio it has gone so far as to set up a Grand Lodge of its own, and impudently asked the Supreme Court of the State to decide that it was an independent body. Such conduct is reprehensible in the extreme, shows a rebellious spirit and a total disregard of the very fundamental principles of Masonry. While our actions on all matters should be of a conservative character, it should, in this instance, be firm and decided, and it should be a Masonic offense for a Master Mason to join them. (1892. Dec. 13. Gudger, G. M.)

458. The Committee to whom was referred that part of the Grand Master's address relating to Cerneauism, submit the following report and recommendations:

Whereas, The Grand Lodge of North Carolina is the sole custodian of the whole system of symbolic Masonry in the State of North Carolina, and

Whereas, After investigation, your Committee finds that the organization known as the Cerneau body has, in other jurisdictions, been productive of discord and disturbing the peace and harmony of the Craft, and interfered with the legitimate jurisdiction of the established Grand Bodies in other States and has held communication with the

Grand Orient of France, an atheistic clandestine Grand Body, therefore, your Committee respectfully recommend the adoption of the following resolutions:

1, No lodge in this Grand Jurisdiction shall recognize or hold communication with any Cerneau body, or its members, and shall discountenance the establishment of any of its branches in this Jurisdiction.

2, That in the Tiler's O. B. be included, "I am not a member of, or in communication with, any body of the so-called Cerneau Scottish Rite." (1892. Rep. 46.)

459. In the face of the clearly set forth fact that the Grand Master possessed no prerogative to set aside the plainly written statutes of the Grand Lodge, application for this purpose has been made to me. These I have invariably refused. The Grand Lodge is the law-making power, and I still feel there is no excuse or reason for disobeying its mandates. Indeed, I believe it would be a Masonic crime to do so. The law is made to govern every Mason, and applies to the Grand Master just as it does to the humblest Master Mason. (1893. Dec. 15. Gudger, G. M.)

460. Where a lodge attempted to suspend a member, but there was no charge and no specifications, and the whole case irregular, I decided that the proceedings were null and void, and did not affect the standing of the brother. (1893. Dec. 15. Gudger, G. M.)

461. A lodge working under dispensation used material of a sister lodge. This lodge must have known it had no jurisdiction. As a punishment I withdrew the dispensation. (1893. Dec. 15. Gudger, G. M.)

462. In the By-laws of ——— Lodge, your Committee find a provision: "Any member who shall enter the Lodge in a state of intoxication shall stand excluded *ipso facto*." In lieu of this, your Committee recommend a provision that such misconduct, when admitted or proven on a trial for the offense, shall exclude the parties charged. He is entitled by the Code to notice of the charge and trial. In the same By-laws your Committee find provision that no

brother shall be tried except upon charges preferred by the Vigilance Committee, which provision is in conflict with Section. 1, Article XIV, of the By-laws of the Grand Lodge governing the conduct of lodges in trials. Your Committee respectfully recommend that the By-laws of this lodge be amended by providing that charges may be preferred by any Master Mason or by the Vigilance Committee. (1893. Rep. 38.)

463. The communication from the Grand Lodge of North Dakota as to the regularity of a dimit granted by a lodge in this jurisdiction to an Entered Apprentice, has been considered by us. The law is not explicit, but your Committee are of opinion that a dimit can regularly issue only to a Master Mason and they so hold. (1893. Rep. 39.)

464. In a Masonic trial the evidence of a brother who was Worshipful Master of a lodge in another Grand Jurisdiction, and who could not be present at the trial, being necessary, held that it was proper to send a committee to take the evidence of this brother, to be afterwards submitted to the lodge, the accused brother being given ample notice of this action, and to be present in person or by counsel when the evidence is taken which he so desires. (1894. Dec. 21. Cotten, G. M.)

465. A lodge wishing to enact an additional By-law, the approval of the Committee on Masonic Jurisprudence, when the Grand Lodge is not in session, is sufficient, and makes said By-law of full force and effect.

Article XVI, Section 9, of the Code, is I think, very clear in regard to this matter, but as it has been questioned by a very distinguished brother I submit it to you for your consideration. (1894. Dec. 22. Cotten, G. M.)

466. In my opinion, whenever a Mason is elected to any position and accepts the same he thereby in honor commits himself to the proper performance of the duties attached thereto, and if he is unwilling or unable to properly attend to them he should resign. (1894. Dec. 22. Cotten, G. M.)

467. The undersigned, to whom was referred the matter of jurisdiction, beg leave to report that, in the interest of comity and good fellowship, the following ought to be adopted as a guide to the action of our lodges on the line of sister Grand Jurisdictions of other States.

1. That the jurisdiction of the Grand Lodge of North Carolina is exclusive over all territory in the State of North Carolina, and subject only to the paramount obligation of preserving the Ancient Landmarks of Freemasonry; the Grand Lodge of North Carolina possesses sovereign authority over all Masons and lodges within the State of North Carolina. That limitations of her jurisdiction are ceded in a spirit of comity and fraternity to her sister Grand Lodges, but with a reservation of right at any time to recall the concession.

2. That any lodge in an adjoining State, working under a charter from a Grand Lodge in correspondence with the Grand Lodge of North Carolina, may entertain the application of a citizen of this State residing by air line to such lodge nearer to such lodge than to any lodge in this State, and may confer the degrees upon such applicants, and may admit them to membership, as if such lodge was duly chartered by the Grand Lodge of North Carolina, and that lodges of sister States of about equal air line distance may have concurrent jurisdiction of material of the State of North Carolina, provided that its own Grand Lodge concedes the same privileges to the lodges of North Carolina.

3. That it is recommended that in all cases where an application is made by a citizen of an adjoining State that special inquiry be made of the lodge of the adjoining State having jurisdiction, as to the fitness of the applicant to become a Mason, and if there be any local objection to the entertaining of the application. (1894. Res. 42.)

468. The penal jurisdiction of a lodge was equal to and corresponded with its territorial jurisdiction, and that a lodge has a right to arraign and try any Mason living in its jurisdiction. (1895. Cotten, G. M.)

469. That a Mason who dimits from his own lodge, moves into the jurisdiction of another lodge, petitions for membership, is rejected, can not apply for membership in any other lodge without the consent of the lodge which rejected him, as long as he lives in that jurisdiction. [Overruled by Number 491.] (1895. Dec. 36. Cotten, G. M.)

470. A lodge can not try its Master, and charges having been preferred against him by a member and spread upon the minutes, I ordered the same to be expunged from the record, the matter in controversy having been settled by the Grand Lodge. (1896. Dec. 16. Moye, G. M.)

471. Dimitted Masons and members of lodges which have forfeited their charters are on the same footing, and have no right to visit a lodge. [This does not prevent one visit by a non-affiliate. Committee on Jurisprudence, Page 66.] (1896. Dec. 17. Moye, G. M.)

472. Business affecting the general interests of the Craft should properly be transacted at a Regular Communication of the lodge. (1896. Dec. 17. Moye, G. M.)

473. A man who has white swelling, one leg being shorter than the other, is eligible to be made a Mason, it appearing that he is in sound health and has good means of support. (1896. Dec. 17. Moye, G. M.)

474. A majority of the members present, and not of those voting, was necessary to elect the Treasurer of ——— Lodge, the same being a matter of controversy among the members. (This was approved by the Jurisprudence Committee, P. 67, with this addition): The decision that it requires a majority of the members present to elect an officer is correct, if the attention of the lodge is directed to the presence of non-voting members before the announcement of the result. If members are present not voting, it would seem to be the better practice to require them to vote before declaring the result. If their presence is made manifest, and they do not vote, we approve the decision

that it requires a majority of all members present to elect. (1896. Dec. 17. Moye, G. M.)

475. Having been officially requested to construe the words "due proficiency" in the law relating to the advancement of candidates, in order to establish a uniform practice in all the lodges regarding the same, which at present does not exist, I decided, as I believed for the good of the Order, that candidates before advancement should be proficient in all of the first section of the preceding degree. (1896. Dec. 17. Moye, G. M.)

476. A Mason is not entitled to recognition in a Blue Lodge as Past Master by virtue of having received the Past Master's degree in a Royal Arch Chapter. (1897. Dec. 19. Moye, G. M.)

477. A Mason's widow, having married one not a Mason, forfeits all claim upon the Order for assistance. (1897. Dec. 19. Moye, G. M.)

478. The Grand Lodges of North Carolina and Virginia having adopted resolutions mutually agreeable touching the question of concurrent jurisdiction, a lodge in North Carolina may entertain the petition of a candidate living in Virginia whose residence is nearer said lodge than any lodge in his own State. (1897. Dec. 19. Moye, G. M.)

479. The minutes should be read and approved at the close of each meeting. I find that some of the lodges defer this until the following meeting, which is illegal. (1897. Dec. Moye, G. M.)

480. A lodge exercises penal jurisdiction of a personal nature over its own members and no matter where their place of residence may be, can arraign and punish them when guilty of wrong doing. (Com. on Jurisprudence added): The Grand Master means that a Lodge has both a geographical and personal jurisdiction. With this we agree. (1897. Dec. 19. Moye, G. M.)

481. A lodge must first be opened on the third degree,

and a Special Communication called for the purpose only of conferring either of the other degrees, furnishes no exception to the rule. (1897. Dec. 19. Moye, G. M.)

482. I find to my surprise that the question of lawful age which I had supposed was well understood, is a subject of discussion in some of the lodges. While in certain countries it is different, in the United States the usage is general that a candidate shall be not less than twenty-one years of age at the time of his initiation. (1897. Dec. 19. Moye, G. M.)

483. There is no law exempting ministers of the Gospel from the fees for the degrees. The fees must be paid by all alike, and shall be held sacred for charitable or educational purposes unless the necessity should exist requiring their use in providing suitable accommodations or essential fixtures. (1897. Dec. 20. Moye, G. M.)

484. The latter clause of Article 6, Section 6, (of the By-laws for the Government of Subordinate Lodges) does not apply to a candidate who having received the first degree fails to present himself for advancement within six months afterwards. He can do so at any time, subject however to a ballot if demanded by a member of the Lodge. (1897. Dec. 20. Moye, G. M.)

485. While profanity and drunkenness are declared to be high Masonic crimes, I know of no law to punish a Mason for the manufacture or sale of intoxicating drinks, but if in conducting said business he acts in such a manner as to constantly and openly violate every principle of moral law, and by continued association with low, vile men, brings reproach upon his lodge and shame upon the Order, he would for these reasons be guilty of a grave Masonic offense, and ought to be arraigned and punished for the same. (1897. Dec. 20. Moye, G. M.)

486. If a lodge becomes dormant and surrenders its charter, its members at once become non-affiliated, and at any time before that lodge resumes labor, can petition

another lodge (having jurisdiction) for membership, but when the dormant lodge has its charter properly restored and resumes labor, that restores all members to the same standing in the lodge they had when the lodge became dormant, who have not in the interim become members of, or had charges preferred, been tried, and sentence passed by other lodges. (1898. Dec. 23. Moore, G. M.)

487. After a candidate has been elected to the degrees and has taken one or two degrees, his failure to present himself for the remaining degree or degrees does not affect his right to have the same conferred, lapse of time alone does not debar him, but any member has a right under the Code of 1892, Section 14, Article X, to call for a ballot on his application to be passed or raised. (1898. Dec. 22. Moore, G. M.)

488. I have been called upon to construe this Section as to whether a member can call for a ballot on a candidate who has been elected to the degrees, when he presents himself for the Entered Apprentice degree. I decided he could not as Section 14 of Article X of the Code of 1892 applied only to passing and raising. I am fully aware that this decision runs counter to the decision of Past Grand Master Gudger, in Proceedings of 1892, Page 12. I have always considered that what the statute does not authorize in plain terms it prohibits. I have construed this Section strictly and take it that if the Grand Lodge intended to apply it to an Entered Apprentice it could easily have inserted the word "initiation." (1898. Dec. 23. Moore, G. M.)

489. I have been requested to grant dispensations to allow lodges to act on petitions for the degrees, without having lain over one month on the ground that it was a case of pressing emergency, that the candidate was about to journey abroad, and on investigation found that the candidate was simply moving out of the jurisdiction of the lodge and not out of this Grand Jurisdiction. I refused the dispen-

sation and decided that the word "abroad" meant beyond the jurisdiction of this Grand Lodge. (1898. Dec. 23. Moore, G. M.)

490. A Mason in a sister jurisdiction who was tried, convicted and expelled for illegal intercourse with a brother Mason's daughter, afterwards moved into this Grand Jurisdiction and petitioned a Subordinate Lodge for membership, and I was asked to decide if his Masonic crime followed him into this Jurisdiction. I, without hesitation, mental reservation, or evasion, decided that it did and should follow him to the ends of the earth. (1898. Dec. 23. Moore, G. M.)

491. *Whereas*, At the Regular Annual Communication of this Grand Lodge in 1895, Most Worshipful Grand Master, in his address reported the following decision made by him:

"That a Mason who dimitts from his own lodge, moves into the jurisdiction of another lodge, petitions for membership, is rejected, cannot apply for membership in any other lodge without the consent of the lodge which rejected him, as long as he lives in that jurisdiction."

And whereas, This decision, without being referred to the Committee on Jurisprudence for consideration, was inadvertently approved by the Grand Lodge,

And whereas, It has been made to appear to the satisfaction of the Grand Lodge that the decision is not in accordance with well established Masonic law and custom; therefore, be it

Resolved, 1st, That the approval of the decision aforesaid is revoked, and the said decision disapproved and declared to be contrary to law.

Resolved, 2nd, That it is the opinion of this Grand Lodge and it so declares, that it is the right and privilege of a Master Mason who has received a dimit from his lodge to apply for membership to any other lodge as often as he may be rejected. (1898. Rep. and Rep. 59. 63.)

492. In the appeal from —— Lodge, your Committee find:

1st, That the charges set forth in specification first of the bill of charges is not sustained by the evidence, and should have been dismissed.

2nd, That specification second is defective in that it fails to set forth any specific charges upon which to base a judgment.

3rd, That the trial was irregular and illegal, in that a visiting brother was allowed to remain in the lodge when the ballot was taken for suspension, Article 14, Section 5.

Therefore recommend that action of the lodge in indefinitely suspending the brother be not sustained. (1898. Rep. 72.)

493. Petition from —— Lodge to entertain petition for the degrees from a man with left hand off from birth was denied. (1899. Rep. 61.)

494. Grand Lodge acted adversely on amendment reading: "When an applicant for degrees, who has lost a left hand or either foot, and is otherwise physically sound and morally upright, shall be eligible to receive the degrees of Masonry." (1899. Rep. 68.)

495. *Resolved*, That it is the sense of this Grand Lodge that the ceremony of laying a cornerstone should be held in open lodge, called and announced as being held for that purpose alone. (1899. Rep. 72.)

496. An E. A. or F. C. Lodge cannot be opened at a called meeting for the purpose of conferring the E. A. or F. C. degree, without first opening in the Master's degree. Every lodge must first be opened in the Master Mason's degree, then labor dispensed with in the Master Mason's degree for the purpose of opening a lodge on the first or second degree for work and instruction. (1900. Dec. 13. Noble, G. M.)

497. I have been asked several times for a dispensation to allow a man without a hand or foot to be given the

degrees of Masonry. I have refused them in every case, and have referred them to the proceedings of the Grand Lodge of 1899, which says: "In either form we regard the amendment as an attempted innovation upon the Ancient Landmarks, and we recommend that it do not pass." (1900. Dec. 13. Noble, G. M.)

498. A member of A Lodge, then defunct, petitioned B Lodge for affiliation and was rejected August 2nd. At the succeeding communication, on August 16th, the same petition was called up and acted upon favorably. What is the status of the brother? Held, that the brother was a member of B Lodge; that while the action of the lodge was irregular, it was no fault of the brother that the lodge did not proceed regularly. (1900. Dec. 14. Noble, G. M.)

499. A certain lodge received a petition for membership and acted upon it favorably at the same meeting. The brother attended the lodge for some months as a member, when it was suggested that the brother had not been received regularly, and that he ought to send in another petition, which he did, and was rejected. What was his status? Held, that he was a member of that lodge; that he should not be made to suffer for the irregular action of the lodge, as he acted in good faith. (1900. Dec. 14. Noble, G. M.)

500. I was asked how many ballots can be taken when balloting on a candidate for the degrees. Ans. Two. (1900. Dec. 14. Noble, G. M.)

501. Has an officer the right to say how many blackballs there are in a ballot? Ans. No. (1900. Dec. 14. Noble, G. M.)

502. If a Mason thinks the age of the petitioner will not entitle him to the degrees of Masonry, can he cast a blackball without being held up to be criticised by members of the lodge? Ans. Yes. (1900. Dec. 14. Noble, G. M.)

503. It seems that ——— Lodge took three ballots upon a petition for the degrees. "Was the third ballot

legal?" The Code says: "A second ballot may be demanded to be satisfied of no mistake, which ballot cannot be reconsidered." Therefore, the third ballot was illegal, and the candidate was rejected. (1900. Dec. 14. Noble, G. M.)

504. Q. In a Masonic trial, where the Master is the prosecutor; can he preside?

A. If present, he must preside. (1900. Dec. 14. Noble, G. M.)

505. Q. Can a lodge appoint a committee to investigate a case out of the lodge, where the Master is the defendant?

A. No.

It seems in the above two questions that behind them is a question as to who is in the right, the Master or a brother. (Committee on Jurisprudence adds): Charges can not be preferred against a Master in a Subordinate Lodge except in the manner provided for in the By-laws. (1900. Dec. 14. Noble, G. M.)

506. In December, 1889, a candidate received the E. A. degree in A Lodge, paying the full fees for the three degrees. Four years later it merged into B Lodge, taking all of the property of A Lodge. Nine years after taking the E. A. degree he asks B Lodge to confer the Fellow Craft and Master Mason's degrees. B Lodge asks if he belongs to them and must it confer the degrees without his paying for them? I answered, "Yes." That when A Lodge surrendered its charter, its E. A. became the material of B Lodge, and as, by agreement, B Lodge inherited all of the property of A Lodge, it would seem right and proper for B Lodge to assume its liabilities. If the candidate has behaved himself in such a way, since his initiation as not to entitle him to the other two degrees, a ballot should be requested before he is passed, and stop him. (1900. Dec. 15. Noble, G. M.)

507. In a case from ——— Lodge, a brother had asked for a dimit, but as he was under a cloud, it was laid

over. (He was then living in another State.) Soon after, the lodge received a letter from some friends of the brother stating that they thought an injustice had been done the brother, that he was in delicate health and wanted the dimit at once. So a Special Communication was called on Tuesday night, and the dimit granted, which was mailed him Wednesday morning. Wednesday evening a letter was received stating that the brother died Tuesday morning, twelve hours before the dimit was granted. Was he a member of the lodge in good standing when he died? Answer. "Yes." (1900. Dec. 15. Noble, G. M.)

508. A party petitioned for membership, which was referred to a committee as usual. At the next Regular Communication, none of the committee being present, the lodge proceeded to ballot on the petition and it was rejected. Question. Could the lodge ballot on the petition without a report from the committee? Answer. No. That the committee must report before a ballot could be taken. The report of the committee must be in writing, if they are absent, or it may be verbally if present; that the ballot was illegal and the candidate not rejected. (1900. Dec. 15. Noble, G. M.)

509. What is, in your opinion, meant by "abroad" in the fifth line of Section 3, Article X, of the Code; and is it within the province of the Master of a lodge to decide for himself when such an emergency exists and to act without a dispensation from the Grand Master? For instance, a man living in a town where there is a prosperous lodge cares nothing for Masonry and does not see fit to petition until he is going to move from the town or join the army. Here he is about to travel "abroad"; but he is evidently asking to be made a Mason in order that he may be benefited by Masonry, not that he cares to benefit Masonry, and a dispensation should be refused. In another case a civil engineer who is on the move all the time, never living in one place long enough to acquire Masonic residence, is returning home for a vacation, desires to be made a Mason.

This being his first opportunity he has had, and does not know how long he will be at home before he is ordered to travel "abroad", a dispensation should be granted in this case. I think that the Grand Master should be asked for a dispensation in all cases. (Com. on Jurisp. P. 78, add): The ruling concerning the proper meaning of the word "abroad" is one which is not disapproved. Each case must rest upon its individual merits. The Master has no power to act. It must be referred to the Grand Master, and his discretion is final. Of course it ought not to be and will not be abused. It seems to the Committee that the distinction between the cases is rather finely drawn, and the degrees might have been conferred on the civil engineer at the request of the lodge at the place of his temporary residence, but we do not suggest the disapproval of the decision. (1900. Dec. 16. Noble, G. M.)

510. Dispensation issued to ——— Lodge, authorizing them to return the initiation fee to a party who, after being accepted, decided that he did not want to belong to the Order if the degrees were to be conferred on a person whom he considered unfit. The degrees to the objectionable person were to be given at the request of a sister lodge. (1900. Dec. 21. Noble, G. M.)

511. Dispensation refused to allow a lodge to receive and ballot on petition of a person who has not resided within its jurisdiction the required time (twelve months), and all such requests were referred to Sections 5, 6 and 7 of Article X, of the Code, especially Section 5, which says: "The application of a petitioner whose residence is nearer to some other lodge shall not be entertained without the written consent of such lodge." So when a person removes from the jurisdiction of a lodge and desires to be made a Mason, he should ask the consent of the lodge from whose jurisdiction he has moved. As I understand it, it does not take a unanimous ballot—only a majority. His vote simply allows the other lodge to entertain the petition and waives the right to the fee. I do not think the Grand Master has

the right to override the By-laws at will. (Committee on Jurisprudence, Page 79, adds): "Your Committee approves the construction placed by the Grand Master on Article X, Section 5, of the By-laws of the Grand Lodge, and concurs with him that the written consent of the lodge from which the consent is asked to entertain the petition means a majority consent and not a unanimous consent. This does not dispense with the ballot in the lodge in which he makes application. (1900. Dec. 22. Noble, G. M.)

512. There seems to be an idea that where a Fellow Craft is raised by request that he is a non-affiliate and can petition any lodge for membership. Such is not the case. He must sign the By-laws of the lodge that accepted him. See Code 1897, Page 36, Section 4, Article X. (The Committee on Jurisprudence, Page 79, add): We heartily commend the construction placed upon Article X, Section 4, of the Grand Lodge By-laws that a Master Mason must sign the By-laws of the lodge in which he is elected to membership, and a Fellow Craft, after being raised, must sign the By-laws of the lodge in which he is elected to the degrees—this being irrespective of the lodge that confers the work. (1900. Dec. 23. Noble, G. M.)

513. Applicants for degrees who have lived all their lives in a county where there are several lodges, moving from the jurisdiction of one lodge to that of another in the same county, are not entitled to have their applications acted upon until they have resided for 12 months, next preceding the date of such applications, within the jurisdiction of the lodge to which they make application. (Committee on Jurisprudence, Page 88, approve and add): Unless written permission shall be granted by the lodge from whose jurisdiction the candidate has removed. We construe the provision in Article X, Section 5, concerning the consent of the lodge nearest the residence of the petitioner, to include the past residence during the twelve months, as well as the present residence. (1901. Dec. 17. Royster, G. M.)

514. The application of an expelled Mason for restoration must be referred to a committee, lie over for at least one month, and be balloted on in like manner as petitions for the degrees. The members of the lodge shall be summoned to attend the meeting at which such petition is to be acted upon. After the committee makes its report, the petition can not be withdrawn, but ballot must be taken. (1901. Dec. 17. Royster, G. M.)

515. One who has taken the E. A. degree can not take the remaining degrees in another lodge, except by the unanimous consent of the lodge in which he was elected. He is still subject to the jurisdiction of the lodge which elected him, and may make application to such lodge for the degrees at any time. The fact of his neglecting to apply for such degrees for a period of eight years does not work a forfeiture of his right to apply now. (The Committee on Jurisprudence, Page 88, add): The Committee do not interpret the decision to mean that a new ballot is required unless demanded. (1901. Dec. 17. Royster, G.M.)

516. A party who removes from one part of the State to another, and lives for several years, and then returns to his former home, can not apply for the degrees until he shall have resided for twelve months within the jurisdiction of the lodge to which he makes application. (Committee on Jurisprudence, Page 89, add): Unless written permission shall be granted by the lodge from whose jurisdiction the candidate has removed. (1901. Dec. 18. Royster, G. M.)

517. A brother holding a dimit is not required to present the same for membership in another lodge within any given time. (1901. Dec. 18. Royster, G. M.)

518. A party 61 years of age, receiving a pension from the United States government, not physically deformed, has sufficient means of support and is otherwise qualified, is eligible to membership. (1901. Dec. 18. Royster, G. M.)

519. A Master Mason holding a dimit may apply for membership in any lodge when and as often as he pleases.

It does not require a twelve months residence within the jurisdiction of the lodge before a Master Mason holding a dimit may apply for membership in such lodge. (1901. Dec. 18. Royster, G. M.)

520. A brother making application for advancement, and being rejected, may renew his application at any time thereafter, and as often as he may please. (1901. Dec. 18. Royster, G. M.)

521. The degrees may be conferred on as many as five at the same communication; but no more than one candidate can be received, or obligated, or raised at the same time. (1901. Dec. 18. Royster, G. M.)

522. It does not require a unanimous vote to remove a lodge from one part of a town to another part of the same town. (1901. Dec. 18. Royster, G. M.)

523. It is the duty of a lodge to bury, with Masonic honors, one of its members who commits suicide. One convicted of and executed for a capital felony should not be buried with Masonic honors. (Committee on Jurisprudence, Page 89, add): In case of suicide the brother may have been insane; in the case of conviction of a capital felony, approved, except in the improbable event that the lodge shall have investigated the charge, and found the brother "not guilty." (1901. Dec. 18. Royster, G. M.)

524. A party who has lost two fingers of his left hand is eligible to the degrees in Masonry, provided he is otherwise qualified and physically able to earn a livelihood. (1901. Dec. 18. Royster, G. M.)

525. A Master Mason who has been elected to membership in a lodge, and acted as a member, paid dues, etc., but who has not signed the By-laws, is a member of such lodge. The Master, under such circumstances, would have no right to declare him not a member of the lodge. (Committee on Jurisprudence, Page 89, add): A Mason is not a member of a lodge until he shall have signed the By-laws.

But after a Mason shall have been elected to membership in a lodge, or shall have received the degrees of Masonry, upon petition he has a right to sign the By-laws and become a member. If by inadvertance he does not sign, an opportunity should be given him to sign. Upon his failure or refusal so to do, the Master has a right, and it is his duty to declare that he is not a member. This does not interfere with the right of the lodge or any member to prefer charges against such member as a Mason residing in its jurisdiction for any Masonic offense. The wilful refusal of any such Mason who has for some time acted as a member with all the rights and privileges of such, to sign the By-laws, (as he was presumed to have done), or to attempt to take advantage of his own wrong in refusing to sign the By-laws, is a Masonic offense. (1901. Dec. 19. Royster, G. M.)

526. The Regular Communications of a lodge are fixed by its By-laws, and it cannot hold such Regular Communications on any other days than those named in such By-laws. A lodge has no right to hold its Regular Monthly Communication a week in advance of the day named for such communication in its By-laws. (1901. Dec. 19. Royster, G. M.)

527. A brother against whom charges are preferred, who is present at the time charges are preferred and accepts service in open lodge of the notice of the time for the trial of such charges, thereby waives his right to demand that such notice be served on him as prescribed in the Code. (Committee on Jurisprudence, Page 89, add): But a copy of the charges and specifications should be served upon the accused. (1901. Dec. 19. Royster, G. M.)

528. A lodge has no right to assess its members for the purpose of building a hall, and if a member refuses to pay such assessment the lodge would have no right to exclude him. (Committee on Jurisprudence, Page 89, add): There can be no punishment inflicted for the non-payment of any assessment directed by a lodge. Any payment of

any such assessment must be voluntary. We find no error in the ruling of the Grand Master as to the right to punish. (1901. Dec. 19. Royster, G. M.)

529. A petitioner whose right leg has been amputated about four inches below the knee, and who wears an artificial limb, cannot be elected to receive the degrees. (1901. Dec. 19. Royster, G. M.)

530. A lodge can not be opened for the transaction of business with six of its own members and one visitor present. There must be seven members present in person to constitute a quorum. (1901. Dec. 19. Royster, G. M.)

531. When candidates for advancement are to be examined the lodge should be opened in the third degree. Then labor is dispensed with and the candidate admitted and examined as to his proficiency. The Master alone passes upon the proficiency of candidates. No vote is necessary. (Committee on Jurisprudence, Page 89, add): This does not affect the right of any member to demand a ballot upon the advancement of a candidate. (1901. Dec. 19. Royster, G. M.)

532. An excluded Mason may make application to the lodge excluding him for restoration as often as such application may be rejected, subject to the provisions contained in "Report of Committee on Jurisprudence" adopted by the Grand Lodge, 1888, on Page 46, Code 1897. (1901. Dec. 19. Royster, G. M.)

533. A brother who asked for and is granted a dimit by his lodge, the same becomes effective at once. The time of its actual delivery, or non-delivery, by the Secretary to the brother, has no bearing on its status. As soon as the lodge acted upon and granted the dimit, the brother ceased to be a member, and the only way by which he can regain his membership is by petition in the regular manner as prescribed in the Code. (1901. Dec. 20. Royster, G. M.)

534. A Mason under sentence of indefinite suspension or expulsion who applies for restoration and is rejected can

not apply again within one year from the date of such rejection. (Committee on Jurisprudence, Page 90, add): The language of Article X, Section 13, is probably broad enough to cover the case. (1901. Dec. 20. Royster, G. M.)

535. A dimitted Mason whose application for membership is rejected has no right to demand that he be received as a member, or that the lodge prefer charges against him. (1901. Dec. 20. Royster, G. M.)

536. In the case from ——— Lodge, your Committee find: 1, that the brother was expelled for disobeying a legal summons, 2, which was sent him by registered mail and returned to said lodge undelivered; hence was not received by the brother; and 3, that at the time the said summons was registered the brother was in a remote portion of Florida and probably his proper address was unknown to the said lodge and, 4, that the said lodge has surrendered its charter, therefore, your Committee recommend that the brother be restored by the Grand Lodge to Masonry without prejudice. (1901. Rep. 75.)

538. Where a Grand Master suspends a Master of a lodge from his office and causes a certified copy of his letter of suspension to be given the suspended brother, it is proper for the Grand Lodge to appoint a committee to prefer charges and proceed with a trial of him on the specifications. (1901. Rep. 87.)

539. A party who enlisted in the Volunteer Army during 1899, and who returned to his home in this State in 1901, is eligible to the degrees. Act of Congress provides that volunteer soldiers shall lose none of their rights of citizenship. I regard Masonic and civil residence in the same light. (1902. Dec. 20. Royster, G. M.)

540. A member of a lodge who produces the Secretary's receipt that he has paid all lodge dues, and against whom no charges are pending, is entitled to dimit, regardless of the fact that he does not intend to apply to another lodge for membership. (1902. Dec. 20. Royster, G. M.)

541. When the charter of a lodge is restored, all members of said lodge in good standing at the time it became dormant or surrendered its charter, become members of such lodge upon restoration of charter, and no petition for such membership is required. (1902. Dec. 20. Royster, G. M.)

542. The names of candidates whose applications are to be balloted on should not be printed in notices of meetings sent by a lodge to its members. (1902. Dec. 20. Royster, G. M.)

543. When a lodge restores to membership one who has been suspended, it can not thereafter rescind its action restoring such member. If he be guilty of Unmasonic conduct, the proper way to deal with him would be to prefer charges, and try him. (1902. Dec. 20. Royster, G. M.)

544. Every petition for initiation shall lie over for at least one month before being balloted upon. This is true even if a lodge meets every week, and notwithstanding the provision of Section 3, Article VI, By-laws for Government of Lodges. Section 3, Article X, of the By-laws of the Grand Lodge controls. (1902. Dec. 20. Royster, G. M.)

545. In the case from ——— Lodge, we find that it does not appear that every facility was allowed the accused for his defense, in that he was not permitted to be heard in defense, as provided in Article XIV, Section 5, of the Code; nor does it appear that he was duly notified of the taking of affidavits, which were read in evidence against him and over his protest. It does appear, however, that hearsay evidence was admitted against the accused. (See Article XIII, Section 3, and Article XIV, Section 3, of the Code.) We, therefore, recommend that the Grand Lodge do not confirm the proceedings in said case, and that a new trial be granted. (1902. Rep. 91.)

546. *Resolved*, That the Directors of the Oxford Orphan Asylum elected by the Grand Lodge, be requested to attend the Annual Communications of the Grand Lodge, and that their expenses be paid in the same manner as the

expenses of the Grand officers are paid; that the expenses of such Directors as are in attendance at this Communication be paid by the Grand Treasurer. (1902. Res. 107.)

547. Q. Is it obligatory for every member present in the lodge room to vote for candidate?

A. Yes. (1903. Dec. 19. Clark, G. M.)

548. Q. If a candidate is elected and so declared by a Master, can a member call for a new ballot, on ground of irregularity, because some member present did not vote?

A. No. Every member present should have voted; after the ballot was closed and results counted, it was not in the power of the Master to re-open. (1903. Dec. 19. Clark, G. M.)

548a. Q. Is a candidate who has a wooden leg eligible for degrees in Masonry?

A. No. (1903. Dec. 19. Clark, G. M.)

549. Q. Can a Mason withdraw petition for membership after same has been accepted and an investigating committee appointed?

A. No. After petition has been received, it becomes the property of the lodge and subject to regular course. (1903. Dec. 19. Clark, G. M.)

550. Q. A member of A Lodge dimitts and petitions B Lodge and is rejected. What recourse has a brother?

A. He can petition that or any lodge in the jurisdiction at their Regular Communication. (1903. Dec. 20. Clark, G. M.)

551. Q. If one blackball is cast, can reason be demanded?

A. No. The ballot box is sacred and absolutely unquestionable. (1903. Dec. 20. Clark, G. M.)

552. Q. Should a Mason dimitted from A Lodge be rejected in B Lodge, and then return his dimit to A Lodge, are they bound to restore his name to the roll?

A. Only by petition and election. (1903. Dec. 20. Clark, G. M.)

553. Q. If he should not petition A Lodge, what and where is he?

A. Should he fail of election he belongs to that eye-sore in North Carolina Masonry, Non-affiliative, and where he is this deponent sayeth not. (1903. Dec. 20. Clark, G. M.)

554. Q. Is an applicant with only one eye eligible for the degrees in Masonry?

A. Yes. (1903. Dec. 20. Clark, G. M.)

555. Q. A party is made an Entered Apprentice before the war, enlists in the army, and after the war moves out West; has lately returned, and now applies for the other two degrees. Has he forfeited his privileges by such delay!

A. No. (1903. Dec. 20. Clark, G. M.)

556. Q. A member of C Lodge dimits and applies for membership in D Lodge; is rejected. Can he re-apply for membership in C Lodge before the expiration of twelve months?

A. Yes. The law applying to applicants for degrees does not apply to a Master Mason; he is at liberty to re-apply as often as he sees fit to chance the ballot box. (1903. Dec. 20. Clark, G. M.)

557. Q. Can C Lodge entertain his petition at any time without the consent of D Lodge while he is resident nearer A Lodge?

A. Yes. Territorial limit does not apply to Master Masons seeking membership as it does to applicants for degrees. (1903. Dec. 20. Clark, G. M.)

558. A lodge has no right to suspend a member for non-payment of dues. [Article XII, Sections 9 and 12 of Code.] (1903. Rep. 108.)

559. Q. Can application for degrees be received by a lodge from a party that is so deaf that he has to use an ear trumpet?

A. No.

(Committee on Jurisprudence, P. 77, add): The Committee are of the opinion that total deafness, or such deafness as will incapacitate the applicant from properly receiving the degrees, would disqualify a petitioner from admission to the degrees of Masonry. The use of an ear trumpet would not of itself be sufficient, if the applicant could receive the degrees, signs and pass words, according to the ancient usages of the Craft, but would raise a strong presumption of such disqualification. (1904. Dec. Clark, G. M.)

560. Q. Is an applicant who has lost his right hand eligible for the degrees?

A. No. He can not conform to the requirements of initiation. (1904. Dec. 16. Clark, G. M.)

561. Q. Can a lodge entertain the petition of a party who has lost one arm?

A. No. (1904. Dec. 16. Clark, G. M.)

562. Q. A brother is dismembered for non-payment of dues, makes arrangements to settle them, and is ordered to be reinstated at next communication; before that is held, he is drowned. His widow requests Masonic funeral; is he entitled to it?

A. If the brother paid in full all dues that he owed the lodge that reinstated him, he was entitled to Masonic burial, if the body was recovered; if he failed to make such settlement, he died a non-affiliate, and was entitled to nothing. Acting on the hypothesis that the body was recovered, and was buried before this question was answered, I refer to the case to especially place the stamp of disapproval upon mock funerals, considering them a travesty upon one of the most sacred rites. It is a custom growing beautifully less, and should be discontinued entirely. (1904. Dec. 16. Clark, G. M.)

563. Q. Is it obligatory to display charter in lodge?

A. No. The proper place is in the lodge room, where it should be framed and hung on the walls, but the law does not require it to be kept there.

(Committee on Jurisprudence, P. 77, add): Your Committee is of the opinion that when the lodge is opened the charter must be present, preferably to be displayed as decided by the Grand Master, and when the lodge is not open it may be kept in any safe place. (1904. Dec. 16. Clark, G. M.)

564. Q. A party makes application to a lodge in another Grand Jurisdiction and is rejected. He subsequently moves into this Jurisdiction, apparently leads a blameless life, and makes application to a lodge in this Jurisdiction, making known his previous rejection. Can the petition be entertained?

A. Permission to entertain or release should be secured from the rejecting lodge before the lodge in this Jurisdiction can accept petition. This decision is worthy of careful consideration, and if I am reversed I shall not feel aggrieved. I have simply given my construction of Article X, Sec. 13, Page 39, of the Code, and was so governed because North Carolina holds to the perpetual jurisdiction theory, a law that I candidly think could oft times be honored in the breach. This office is made to interpret the law and not make it, and I have done so.

(Committee on Jurisprudence, P. 77, says): Approved, and whatever doubt there is as to the expediency is for the Grand Lodge. Neither the Grand Master nor this Committee can do otherwise than construe the law as they find it. (1904. Dec. 16. Clark, G. M.)

565. Q. Can a petition be received from a party under age, but will become of age before the petition is acted upon?

A. No. Let him wait with patience till he is of "lawful age and properly vouched for." (1904. Dec. 17. Clark, G. M.)

566. Q. Can charges be preferred against a brother for retailing whiskey?

A. No. The simple fact of a Mason selling whiskey is no Masonic crime, and so long as he does not fracture the

civil or Masonic law he is guilty of no offense. It is to be observed, though, that Masonry discountenances the whiskey traffic, and stands boldly for sobriety and temperance. (1904. Dec. 17. Clark, G. M.)

567. Q. Can the degrees be conferred upon more than one candidate at the same time?

A. But one candidate can be received and obligated at a time. The explanatory lectures can be given to any number of candidates.

This question was, I think, very satisfactorily answered by Past Grand Master Royster, and his decision having been sustained by the Grand Lodge, I should not have referred to it, had not one of our brightest Masons asked for an official interpretation. (1904. Dec. 17. Clark, G. M.)

568. Q. Applicant is elected and initiated, and presents himself for advancement to the degree of F. C. A member of the lodge objects. Query: Should the objection be made in open lodge, or the Master, in private, ask for the ballot?

A. Objections should be made in open lodge; if reasons are just and lawful, then the tiled recesses of the lodge should be the objector's shield; if they are to gratify a personal spite, then he should not endeavor to place the Master in a position he was too timid to occupy.

(Committee on Jurisprudence, P. 77, add): Approved, so far as it requires the objection to be made in open lodge. While a member making the objection can not be required to state his reasons therefor, still he may do so. (1904. Dec. 17. Clark, G. M.)

569. Q. A Master Mason, expelled from B Lodge, removes into the jurisdiction of C Lodge; to which lodge should he apply for reinstatement?

A. B Lodge having imposed the penalty, according to Masonic law, he must apply to B Lodge for relief. (1904. Dec. 18. Clark, G. M.)

570. In the case from ——— Lodge, Bro. M. was

charged by Bro. P. with setting fire to his own store and the town in which he lived. The evidence as certified in the appeal shows that Bro. M. tried to settle the case with Bro. P.; that is, if Bro. P. would make a public retraction and pay his attorney's fees. This Bro. P. refused to do, and told him to crack his whip; whereupon, about five months after the alleged slander, Bro. M. issued a summons from the superior court in an action for slander. The charge preferred against Bro. M. was for bringing an action in a civil court before referring the matter to the lodge for settlement. In the trial no attempt was made to substantiate the charge that Bro. M. had set fire to his store and to the town in which he lived, no brother appearing as a witness against Bro. M. The lodge suspended Bro. M. for three months, basing its action on the ground that for one Mason to bring an action in a civil court against another Mason, without first submitting the matter to the lodge, was a violation of Masonic law. Your Committee, after careful investigation of the law as set down in the Code, and after examining Mackey and Chase on Masonic law, and getting the opinion of the brethren of this Grand Lodge well versed in Masonic law, are unable to find any Masonic law which forbids one Mason bringing an action at law against another Mason without first submitting the controversy to the lodge, and therefore recommend that the sentence of suspension as passed against Bro. M. be set aside, and that he be restored to full connection in ——— Lodge. (1904. Rep. 87.)

571. In the appeal from ——— Lodge, the appellant fails to comply with Article XIII, Section 8, of the By-laws, in that he has not sent up to the Grand Lodge any writing setting forth his grounds of appeal, and has failed to appear and prosecute his appeal; and notwithstanding this, even upon the merits of the case, the brother admitted upon trial that he had embezzled funds from a Knights of Pythias Lodge, and had been suspended by the Knights of Pythias Lodge. We therefore recommend that the action of ———

Lodge, in expelling the brother, be sustained and the appeal dismissed. (1904. Rep. 88.)

572. *Resolved*, That it is the sense of the Grand Lodge of North Carolina that each Subordinate Lodge be requested to subscribe to the second mortgage bonds of the Masonic Temple Construction Company to the full extent of its ability, and that each representative in this Grand Body be requested to lay this matter before their respective lodges on their return home, and urge upon their lodges the importance of this movement. (1904. Res. 106.)

573. *Resolved*, That the members of the Masonic Temple Committee be, and they are hereby appointed proxy for the Grand Lodge of North Carolina, to vote its stock in any and all stockholders' meetings of the Masonic Temple Construction Company; that they shall vote the same as a majority of a quorum of the Committee may determine.

Resolved, That any member of the Masonic Temple Committee may act as a director or other officer of the Masonic Temple Construction Company by virtue of the ownership of the stock in said Construction Company by the Grand Lodge of North Carolina. (1904. Res. 106.)

574. A man with an artificial leg is not eligible to receive the degrees of Masonry. (1905. Dec. 16. Liddell, G. M.)

575. A man with three fingers and part of the thumb of the right hand missing is not eligible to receive the degrees of Masonry. (1905. Dec. 16. Liddell, G. M.)

576. A man with a double hair lip is ineligible to receive the degrees of Masonry. (1905. Dec. 16. Liddell, G. M.)

577. A person who has lost the fingers of his right hand, but his thumb on his hand is all right and the knuckles on his hand are saved, his right leg shorter than the left and he has to walk on crutches, is not eligible to receive the degrees of Masonry. (1905. Dec. 16. Liddell, G. M.)

578. A man crippled from white swelling, walking on

his toes, and getting worse every year, is not eligible to receive the degrees of Masonry. (1905. Dec. 16. Liddell, G. M.)

579. A person incapable of kneeling on the left knee, one leg so short and deformed as to require the use of a cork foot, is not eligible to receive the degrees of Masonry. (1905. Dec. 16. Liddell, G. M.)

580. A man so bow-legged as to almost amount to a deformity is eligible to receive the degrees of Masonry. While he could not be styled a perfect youth, there is nothing that would prevent him from passing through all the forms of initiation. (1905. Dec. 16. Liddell, G. M.)

581. In answer to a letter asking if a man who had joined a clandestine lodge, not knowing that it was such, was eligible to receive the degrees in a regular lodge, I replied as follows:

If a man has unknowingly gone wrong, and wants to go right, there is nothing for him to do but turn around and go in the right direction. If the man you write about unknowingly got into a clandestine lodge, and having learned of the fact, wishes to become a true Mason, I see no reason why his petition should not be received and take its regular course. If he is a proper candidate for Masonry, the fact that he had been a member of a spurious body, not knowing that it was such when he joined, should not bar him from receiving the degrees. (1905. Dec. 17. Liddell, G. M.)

582. I would like to have been able to have decided that where a lodge had conferred the degrees by request of another lodge, that at the request of such lodge the brother could become a member of the lodge conferring the degrees by signing the By-laws. An E. A. having received his degree in the eastern part of the State, and removing to the western part of the State, where the lodge there, by request, confers the degrees of F. C. and M. M., should not be compelled to return to the lodge where he was elected to receive the degrees, to sign the By-laws, simply for the pur-

pose of obtaining a dimit. I do not think the law of the Grand Lodge intended this. A request from the lodge for whom the degrees were conferred, to allow the brother on whom the degrees were conferred by courtesy, to sign the By-laws of the lodge conferring the degrees and become a member thereof, should, in my opinion, be the law, and not require the approval of the Grand Master. I did authorize this course in two instances where the circumstances fully warranted my action.

(Committee on Jurisprudence, P. 94, add): In such case can the brother become a member of the lodge conferring degrees by signing the By-laws?

If this is not already met by the existing law your Committee is of the opinion that the Code should be amended by providing that in such case the brother, having been elected to the degrees of Freemasonry, should be allowed to sign the By-laws of his original lodge by proxy, or should signify his assent in writing to receive a dimit. It seems best to the Committee that the record to the lodge in which the brother was elected should show that he had become a member thereof by signing the By-laws, or by signifying in writing his assent to the By-laws, which would be substantially the same. He could then receive a dimit just as in all other cases of a change of residence. (1905. Dec. 17. Liddell, G. M.)

583. If a candidate has received the Entered Apprentice degree, having been passed upon as to character, physical qualifications, etc., it would seem that to stop his progress charges should be preferred, but the Code does not warrant this, and as the Grand Lodge meets in January I will hold your letter for it to decide.

(Committee on Jurisprudence, P. 95, add): In regard to the advancement of an Entered Apprentice where objections had been raised, the Committee endorses the decisions of the Grand Master. While the practice is not uniform throughout the various Grand Jurisdictions, in North Carolina an applicant is usually elected to the three degrees of

Masonry at the same time by a single ballot. If for any cause subsequently arising, or information subsequently obtained by a member of the lodge, or upon information already in the possession of any member who was not present at the election, it would seem that any brother had a right to demand a new ballot for the succeeding degrees. While this might be subject to abuse, it is no more so than the use of the blackball; which in every instance puts the veto power in the hands of any individual brother. (1905. Dec. 17. Liddell, G. M.)

584. The construction I put upon the resolution creating the Board of Custodians, and appearing on Page 62 of the Proceedings of 1903, is that the Board of Custodians is appointed by the Grand Master to decide that the work as taught is the Stevenson work, and if any changes have to be made, make them at once, and then forever afterward preserve the work unchanged; that any Mason desiring to become a Lecturer can demand of the Grand Lecturer, or one of his assistants, to examine him and certify in writing as to his proficiency. With this certificate he can appear before the Custodians, who will examine into his character, decide on the impression he would make as a man in the discharge of his duty, pass upon his ability to impart what he knows to others. They can recommend him to the Grand Master, who is to be the judge as to whether or not more Lecturers are needed. (1905. Dec. 18. Liddell, G. M.)

585. *Resolved*, That hereafter the candidate shall be taught that the Master Mason shall have the privilege of wearing his apron with the corner up, and that the Fellow Craft shall wear his apron with the flap down; and that all laws in conflict herewith shall be repealed. (1905. Res. 106.)

586. A Master Mason, a member of B Lodge, who while in the jurisdiction of C Lodge, is guilty of immoral or Unmasonic conduct, may be tried by C Lodge for such offense. Article XIII, Section 1, of the Code: A Lodge has territorial as well as personal jurisdiction. (1906. Dec. 20. Liddell, G. M.)

587. Where two lodges in adjacent municipalities exercise concurrent jurisdiction, it must be by mutual agreement, or else by act of the Grand Lodge. If by mutual agreement it may be terminated at any time by either; if by order of the Grand Lodge that body may reverse it. (1906. Dec. 20. Liddell, G. M.)

588. Suspended Mason may be restored to good standing as a Mason by the Grand Lodge, which may or may not reinstate him in the lodge from which he was suspended. (1906. Rep. 75.)

589. 1, *Resolved*, That from and after the passage of this resolution, the Grand Master, Deputy Grand Master, Grand Senior Warden and Grand Junior Warden, in their discretion, be authorized to divide the State into such a number of Masonic districts, and that the Grand Master be authorized in his discretion, to appoint and commission as District Deputy, some Master Mason, in good standing in a lodge located within the district for which he may be appointed.

2, That each District Deputy Grand Master shall exercise such powers and perform such duties as may be delegated from time to time by the Grand Master to him.

3, That each District Deputy Grand Master shall make annual report to the Grand Master thirty days prior to the Annual Communication of the Grand Lodge, setting forth his official acts during the year, the state of Masonry within his jurisdiction, the condition of the lodges in his district, and suggesting such measures as to him may appear conducive to the general good of the Fraternity, which report shall be laid before the Grand Lodge and it (or such part as the Grand Master may designate) shall be published with the Proceedings. (1906. Rep. 76.)

590. Your Committee on Correspondence is induced to believe that, although the Grand Lodge of Cuba and Costa Rica were for a long time dominated by Supreme Councils of the Scottish Rite, they are now independent of these hierarchial bodies and exercise sovereign control over

the three degrees of Symbolic Masonry in their respective territories. The Committee therefore recommend that fraternal recognition be extended to the Grand Lodges of Cuba and Costa Rico. (1906. Rep. 79.)

591. *Resolved*, That the Grand Lodge of Ancient Free and Accepted Masons of North Carolina extend to the Grand Lodge of Queensland, Ancient Free and Accepted Masons, a cordial and fraternal recognition, and that an exchange of Representatives be effected as speedily as practicable. (1906. Rep. 81.)

592. Under Article VI, Section 6, if the applicant negligently fail to offer himself for initiation the fee will be forfeited and the proceedings null and void. If there shall be any subsequent negligence or misconduct, the right now existing upon the request of any member of the lodge to call for a ballot upon the succeeding degrees, sufficiently guards the interests of the Order. (1906. Rep. 87.)

593. *Resolved*, That the Grand Master shall be authorized to appoint a Historian of the Grand Lodge of North Carolina to undertake such labor of love. (1906. Res. 96.)

594. The Committee to which was referred the resolution of Past Grand Master Nichols have considered the same and recommend the following as a substitute:

Section 3a. When a dimit shall be applied for by any member for the purpose of joining another lodge, if the application shall state such purpose, his membership in his lodge shall not cease until his application for membership in the lodge to which he has applied shall be granted, and that the form of application for a dimit shall be amended by adding at the end in parenthesis (for the purpose of applying for membership in ——— Lodge, No. ———) (1906. Res. 96.)

INDEX.

(References are to sections, not pages.)

| | SECTION |
|---|----------|
| ABANDONING FAMILY. | |
| Masonic offense..... | 422 |
| ABROAD. | |
| What is..... | 509 |
| Means beyond jurisdiction of lodge..... | 489 |
| ABSENCE. | |
| Officer may be installed by proxy during..... | 175 |
| ABUSIVE LANGUAGE. | |
| Should not be used..... | 353 |
| ACCESSORY. | |
| Cannot be tried until conviction of principal..... | 105 |
| ACCUSED. | |
| Absent, trial should be defended..... | 229 |
| Conduct since suspension, Grand Lodge may expel for..... | 280 |
| No Masonic privileges pending appeal..... | 442 |
| After conviction, pending appeal, no right to visit..... | 437, 438 |
| Secretary notifies of charges..... | 211 |
| Furnished copy of charges..... | 422 |
| Charges and specifications served on..... | 527 |
| Transcript must show notice to..... | 244, 245 |
| Registered letter containing summons returned to lodge undelivered is no evidence of knowledge by..... | 536 |
| Right to file and verify answer..... | 234 |
| Entitled to make statement..... | 300 |
| May testify..... | 103 |
| Must be permitted to be heard in defense..... | 545 |
| Must be notified of taking of any testimony..... | 464 |
| Must be notified to taking of depositions..... | 244, 272 |
| Notified of taking of affidavits..... | 545 |
| Individual offense should not be made joint..... | 237 |
| May refuse to answer question..... | 396 |
| May be represented by counsel, a profane..... | 319 |
| May employ counsel..... | 381 |
| ACCUSER. | |
| Cannot appeal from verdict of acquittal..... | 420 |

| | SECTION |
|--|--------------------|
| ACQUITTAL. | |
| No appeal from..... | 268, 282, 388, 420 |
| Vote cannot be reconsidered..... | 114 |
| ACTION AT LAW. | |
| Not Unmasonic conduct..... | 329 |
| ADJOINING TOWNS. | |
| Jurisdiction..... | 298 |
| ADJOURN. | |
| Lodges do not..... | 48 |
| ADULTERATING LIQUOR. | |
| False charge of is Unmasonic..... | 373 |
| ADVANCEMENT. | |
| Candidate must make due proficiency before..... | 149, 441, 475 |
| Ballot may be had on..... | 583 |
| Brother may question..... | 250 |
| May be objected to..... | 335 |
| Objections to stops candidate..... | 456 |
| Objections to, reasons need not be given..... | 568 |
| Lapse of time does not bar Entered Apprentice..... | 555 |
| Candidate may present himself any time..... | 484, 487 |
| Rejected candidate may apply any time thereafter..... | 520 |
| ADVERTISEMENT. | |
| Improper to use emblems on..... | 108 |
| AFFIDAVITS. | |
| Accused must be notified of taking..... | 545 |
| AFFILIATE. | |
| Must produce dimit..... | 43 |
| AFFILIATION. | |
| When petition received, no dimit..... | 297 |
| Applicant need not dimit when..... | 594 |
| Petitioner for is non-affiliate until accepted..... | 356 |
| Non-affiliate has right of petitioning..... | 290 |
| Non-affiliate may apply anywhere and at any time..... | 556 |
| Rejected petition should not be acted on at succeeding communication..... | 498, 499 |
| Ballot cannot be had before committee reports..... | 508 |
| When consent of another lodge to be had on petition for..... | 469 |
| Rejected petitioner cannot demand admission, or that charges be preferred against him..... | 535 |
| Petition for cannot be withdrawn..... | 549 |
| Petitioner need not live in jurisdiction..... | 455 |
| On, By-laws must be signed..... | 184 |
| AGENT. | |
| Failing to account for money collected for Masonic widow should be tried..... | 195 |

| AIR-LINE. | SECTION |
|---|------------------------------|
| Governs jurisdiction of lodges..... | 219, 375 |
| ALIENS. | |
| Resident may petition for degrees..... | 410 |
| AMENDMENTS TO BY-LAWS. | |
| Must be approved by Grand Lodge..... | 231 |
| ANCIENT LANDMARKS.—See Landmarks. | |
| ANSWER. | |
| Accused has right to file and verify..... | 234 |
| APPEAL. | |
| None to lodge, only to Grand Lodge..... | 60 |
| From lodge to Grand Lodge..... | 209 |
| None from Grand Lodge action..... | 443 |
| Cannot be denied..... | 274 |
| Status of suspended Mason during..... | 64 |
| Convicted brother no privileges pending..... | 442 |
| Pending, convicted Mason no right to visit..... | 437, 438 |
| None from verdict of not guilty..... | 268, 282, 388, 420 |
| Filed in thirty days..... | 311 |
| Grounds stated in writing..... | 220 |
| Grounds must be stated..... | 311 |
| Grand Lodge may restore on..... | 266 |
| Grand Lodge may modify punishment..... | 277 |
| Remedy by, Master cannot grant new trial..... | 252 |
| Must be passed on by Grand Lodge..... | 315 |
| Sustained reinstates brother..... | 315 |
| Grounds of not sustained..... | 235 |
| Reversed for technicalities certified to lodge for new trial..... | 95 |
| What transcript must show..... | 227, 228, 229, 230, 272, 371 |
| Accused offered to file answer, held error not to allow..... | 234 |
| APPROVAL OF MINUTES. | |
| Before lodge closes..... | 370, 479 |
| APRON. | |
| Fellow Craft wears flap down..... | 585 |
| Master Mason wears corner up..... | 585 |
| ARM. | |
| Loss of, ineligible to petition for degrees..... | 289, 561 |
| ARMY. | |
| Service in, does not lose Masonic residence..... | 539 |
| ARMY LODGES. | |
| Regiments for the war may form..... | 116 |
| Not established outside of State (reversed)..... | 118, 120 |
| Established outside of State..... | 125 |
| Cannot confer degrees on any but voters in State elections..... | 125 |

| | SECTION |
|--|----------------------------------|
| ARREARS OF DUES. | |
| Must be paid before restoration..... | 385, 390 |
| ARREST OF CHARTER. | |
| Does not affect Masonic standing of members..... | 313 |
| ARTICLES OF UNION BETWEEN GRAND LODGES OF YORK AND LON- DON. | |
| Forbid innovations..... | 28 |
| ASSESSMENT. | |
| Lodge cannot levy..... | 528 |
| Masonic charity not unconstitutional..... | 431 |
| ASSISTANCE. | |
| Non-affiliate not entitled to..... | 117 |
| ATHEIST. | |
| Cannot be a Mason..... | 432 |
| ATTENDANCE. | |
| Lodge cannot punish for failure to attend..... | 23 |
| AYES AND NOES. | |
| Not voted in lodges..... | 61 |
| BALLOT. | |
| Candidate must have resided twelve months before..... | 416 |
| Single blackball rejects..... | 40 |
| Favorable vote of every member present necessary to elect is upon petition for the degrees..... | 547 |
| Cannot be had until one month from the presentation..... | 544 |
| Committee must report before..... | 508 |
| Majority vote only necessary to give consent of rejecting lodge..... | 425 |
| Unanimous necessary to waive jurisdiction..... | 453 |
| Cannot be questioned..... | 168, 305, 415, 435, 551 |
| Not provided for on initiation..... | 488 |
| May be had on passing and raising..... | 44, 167, 415, 484, 487, 488, 583 |
| For initiating and raising cannot be had same meeting..... | 49 |
| Unmasonic to disclose secrecy of..... | 176 |
| Second cannot be had after Master declares candidate elected..... | 548 |
| Cannot be reconsidered..... | 338 |
| Had on unfavorable report..... | 257 |
| Second to ascertain no mistake..... | 40, 260, 500, 503 |
| Second cannot be had after meeting closed..... | 448 |
| Officer cannot state how many blackballs..... | 501 |
| Cannot be renewed until twelve months elapses..... | 446 |
| Taken on charges and specifications..... | 276 |
| Unanimous to restore Mason..... | 197, 303 |
| Unnecessary to restore when definite suspension runs out | 81 |
| Cannot be ordered by Deputy Custodian..... | 179 |

| BALLOTING. | SECTION |
|--|----------|
| Cannot be had in E. A. degree | 370 |
| Brother cannot be restrained from | 327 |
| BALLS. | |
| Not to be given in lodge rooms | 296 |
| Not permitted in halls | 185 |
| BELIEF IN GOD. | |
| Taught by Masonry | 432 |
| Necessary | 357 |
| BENEVOLENT PURPOSES. | |
| Lodge may tax members for | 307 |
| BIBLE. | |
| Scriptural readings may be chanted | 358 |
| BLACKBALL. | |
| For non-age cannot be inquired into | 502 |
| Officer cannot state how many | 501 |
| Profanity or drunkenness sufficient for | 198 |
| Single one rejects | 40 |
| BOW LEGS. | |
| Do not render ineligible | 580 |
| BURIAL. | |
| Mock Masonic not encouraged | 308 |
| BUSINESS. | |
| Seven members necessary to transact | 530 |
| General should be transacted at Regular Communications ... | 472 |
| Transacted in Master Mason's lodge | 42 |
| BY-LAWS. | |
| Grand Lodge govern when lodges conflict with | 544 |
| Must conform to Grand Lodge law | 71 |
| Cannot repeal those of Grand Lodge | 251 |
| Grand Lodge may authorize lodge to change its | 46 |
| Must be approved by Grand Lodge | 231 |
| Must be approved by Committee on Jurisprudence | 147, 465 |
| Re-enacting Grand Lodge laws and re-iterating Masonic law is criticised | 142 |
| Cannot impose fine for non-attendance | 241 |
| Cannot exclude brother, must be tried | 462 |
| Candidate upon being raised, must sign | 160 |
| Failure to sign makes non-affiliate | 409 |
| What done for refusal to sign | 525 |
| May not be signed by proxy | 184 |
| Lodge electing candidates must be signed | 582 |
| Prescribe time for Regular Communications | 526 |
| Regulate hour of regular meeting | 452 |
| Must provide for notice before depriving of rights | 174 |

| | SECTION |
|---|----------|
| Petitions for degrees must lie over one month | 251 |
| Cannot make every meeting an election | 133 |
| Cannot provide for elections to fill vacancies | 89 |
| May require Treasurer to give bond | 424 |
| CALL, OFF. | |
| Lodges should not in opening in lower degrees | 51 |
| Lodges call from labor to refreshment, or close | 48 |
| CANDIDATE. | |
| Ballot may be had on passing and raising | 488, 583 |
| Must sign By-laws of lodge electing | 512, 582 |
| Objection to made in open lodge | 568 |
| May wait forty years between E. A. and remaining degrees | 555 |
| Examined when labor dispensed with | 531 |
| Received, obligated and raised singly | 521, 567 |
| Rejected for advancement may apply any time there- after | 520 |
| Lapse of time does not forfeit right to advancement | 515 |
| May present for advancement at any time | 484, 487 |
| Must make due proficiency | 475 |
| Advancement may be objected to | 335 |
| Degrees given man not speaking English language | 210 |
| Deputy Custodian cannot order ballot | 179 |
| Unfavorable ballot cannot be questioned | 168 |
| Ballot can be had on any degree | 167 |
| E. A. losing right arm cannot be passed | 150 |
| Due proficiency must be shown before advancement | 149 |
| Must have fixed residence | 139 |
| What is due proficiency | 92 |
| Petitions for degrees of Masonry, not one degree | 50 |
| Cannot be balloted for initiating and raising at same meeting | 49 |
| Ballot may be had in passing and raising | 45 |
| Objection cannot be had for conduct prior to time of taking degree, to prevent further advancement | 45 |
| Elected to the degrees of Masonry | 583, 49 |
| Must petition nearest lodge | 3 |
| Lodges to notify other lodges of rejections | 3 |
| Loss of eyes, does not disqualify | 554 |
| Names should not be printed on notices of meetings | 542 |
| Only two ballots on petitions for degrees | 500, 503 |
| Lawful age | 482 |
| White swelling not disqualification | 473 |
| Cannot read or write eligible | 454 |
| Unanimous vote necessary to give jurisdiction to another lodge | 453 |

| | SECTION |
|---|----------------------------|
| Loss of leg ineligible..... | 451 |
| Stiff knee disqualifies when..... | 451 |
| Lodge ascertaining no jurisdiction, should get written consent from lodge having..... | 450 |
| When may petition either of two lodges..... | 431a |
| Maimed not received..... | 119, 121, 289 |
| Rejected can petition again in twelve months..... | 260 |
| Loss of arm or leg disqualifies..... | 180 |
| Elected to degrees of Masonry..... | 167 |
| Unable to write name may make mark..... | 151 |
| Of army lodge must be entitled to vote in State elections..... | 125 |
| Lodge must consider residence of applicant..... | 109 |
| Physical qualifications..... | 119, 121 |
| CARD PLAYING. | |
| Not permitted in halls..... | 185 |
| CEREMONIES. | |
| Candidate be able to conform to..... | 394 |
| CERNEAUISM. | |
| Masonic offense to join..... | 457, 458 |
| Establishes Grand Lodge in Ohio..... | 457, 458 |
| Interdicted..... | 457, 458 |
| Not recognized..... | 199, 204 |
| Invasion of Louisiana denounced..... | 74 |
| Clandestine..... | 59, 74, 199, 204, 457, 458 |
| CERTIFICATES. | |
| Grand Lodge to furnish..... | 34 |
| Furnished widow when..... | 54 |
| In lieu of dimit..... | 297 |
| CHARTER OF GRAND LODGE. | |
| Printed in Proceedings..... | 155 |
| CHAPTER. | |
| Suspension by does not affect lodge standing..... | 64, 164 |
| CHARGES. | |
| Cannot be preferred for retailing whiskey..... | 566 |
| Necessary to suspend a restored Mason..... | 543 |
| Should be preferred against Master suspended by Grand Master..... | 538 |
| Rejected non-affiliate cannot demand admission or that charges be preferred..... | 535 |
| With specifications must be served on accused..... | 527 |
| Cannot be preferred against Master..... | 505 |
| Not sustained by evidence case should be dismissed..... | 492 |
| Against Master ordered expunged from record..... | 470 |
| Necessary to suspend..... | 460 |

| | SECTION |
|--|----------|
| Must be specified..... | 439 |
| May be preferred against non-affiliate for offenses prior to his dismissal..... | 434 |
| Copy furnished accused..... | 422 |
| No appeal from acquittal..... | 420 |
| Cannot be tried at same meeting as presented..... | 404 |
| Against Master, how brought..... | 388 |
| Time given to file..... | 382 |
| Should be in writing..... | 382 |
| Should be clearly set forth..... | 380 |
| Preferred—No trial when..... | 367 |
| Disobeying legal summons..... | 349 |
| Prevent dimit issuing..... | 332 |
| When preferred must be followed up..... | 309 |
| Preferred against accuser does not stop..... | 309 |
| When non-affiliate may prefer..... | 292, 293 |
| Majority vote convicts..... | 265 |
| Need not be preferred for brother stopping initiate..... | 250 |
| Must show on transcript..... | 228 |
| When preferred against visitors..... | 224 |
| Secretary notifies accused..... | 211 |
| Must be served when address known..... | 190 |
| CHARITY. | |
| Assessments for not unconstitutional..... | 431 |
| CHARTER. | |
| Price of..... | 10 |
| Present when lodge opens..... | 563 |
| Arrested, Masonic standing of members unaffected..... | 313 |
| Restored to defunct lodge restores all members..... | 468, 541 |
| New charter does not exclude old members..... | 182 |
| CHEATING. | |
| What is not..... | 171 |
| CIVIL SUIT. | |
| Not Unmasonic conduct..... | 570 |
| Evidence in, not competent in Masonic trial..... | 301 |
| CLAIMS FOR MASONIC HELP. | |
| Widow remarrying forfeits..... | 477 |
| CLANDESTINE. | |
| May petition for degrees..... | 581 |
| Cerneau lodges are..... | 458 |
| Grand Orient of France..... | 376 |
| Recognition of cuts off intercourse with this Grand Lodge..... | 199 |
| Such Masons not recognized..... | 204 |
| Negro lodges are..... | 128 |

| | SECTION |
|--|----------|
| All who recognize more than one Grand Body in State..... | 59 |
| Phillips Grand Lodge of New York..... | 57 |
| CLOSE. | |
| Lodges do not adjourn, but..... | 48 |
| COLLECTION. | |
| None for Orphan Asylum need not be reported..... | 383 |
| Masonry not a collection agency..... | 352 |
| COMMANDERY. | |
| Suspension by does not affect Masonic standing..... | 64 |
| COMMISSION. | |
| For one year..... | 178 |
| COMMITTEE. | |
| Must report before ballot can be had..... | 508 |
| Cannot investigate case in which Master is defendant..... | 505 |
| When evidence may be taken by..... | 464 |
| Need not report when nothing has been accomplished..... | 383 |
| Lodge may withdraw matter from..... | 361 |
| Cannot try..... | 85, 272 |
| Appointed by Master, lodge need not approve..... | 134 |
| How appointed..... | 68 |
| Grand Lodge, how appointed..... | 68 |
| To examine G. Secretary's books..... | 30, 41 |
| COMMITTEE ON FOREIGN CORRESPONDENCE. | |
| Expenses defrayed..... | 96 |
| COMMITTEE ON JURISPRUDENCE. | |
| Approve lodge By-laws..... | 147, 465 |
| COMMUNICATIONS. | |
| Cannot act on petitions for degrees at Special..... | 99 |
| Minutes of need not be signed by Master..... | 166 |
| One lodge to another under seal of lodge..... | 161 |
| CONCURRENT JURISDICTION. | |
| Lodges may arrange for..... | 587 |
| Extended in certain cases near State line..... | 467 |
| Between this and Grand Lodge of Virginia..... | 478 |
| Lodges U. D. and chartered lodges..... | 249, 403 |
| CONFERRING OF DEGREES. | |
| Not more than five candidates at same communication..... | 521, 567 |
| Lodge must first be opened on Master Mason's degree..... | 481, 496 |
| By request, no charge for..... | 258 |
| CONSENT. | |
| Not needed to entertain petition of rejected non-affiliate.... | 557 |
| On rejected petitioner for degrees means majority consent.... | 511 |
| Had before applying to second lodge..... | 425 |
| Majority vote not unanimous..... | 425 |

| | SECTION |
|--|---------|
| CONTROVERSY OVER DOG. | |
| Lodge should not examine into ownership in such case..... | 406 |
| CONVICTION. | |
| By civil courts does not carry same into lodge..... | 301 |
| Majority vote necessary for..... | 265 |
| COSTA RICA. | |
| Grand Lodge recognized..... | 590 |
| CORNERSTONE. | |
| Laid in open lodge..... | 495 |
| COUNCIL. | |
| Suspension by does not affect lodge standing..... | 64 |
| COUNSEL. | |
| Employment of to prevent issuing of license to Mason to retail ardent spirits is not Unmasonic..... | 94 |
| Need not be a member..... | 389 |
| Accused having, lodge may also have..... | 381 |
| May be profane..... | 319 |
| COUNTY CHARGE. | |
| Allowing mother to become..... | 392 |
| COURTS. | |
| Lodge should not interfere in suits in..... | 398 |
| CRIMINAL LAW. | |
| Wilful violation is Masonic offense..... | 433 |
| CUBA. | |
| Grand Lodge recognized..... | 590 |
| CUSTODIANS. | |
| To recommend all lecturers..... | 584 |
| To preserve the work..... | 584 |
| CIPHER WORK. | |
| Forbidden..... | 170 |
| DAUGHTER OF A MASON. | |
| Conviction for illicit intercourse with, follows expelled Mason wherever he goes..... | 490 |
| Of expelled Mason no claim for Masonic help..... | 173 |
| DEACON. | |
| Cannot dimit..... | 412 |
| DEAFNESS. | |
| Total disqualifies petitioner..... | 559 |
| DEATH OF MASTER. | |
| Senior Warden succeeds..... | 89 |
| DEBT. | |
| Masonry cannot be used to collect..... | 352 |
| Not subject of Masonic inquiry..... | 319 |
| DECISION OF LODGE. | |
| May be reversed by Grand Lodge..... | 397 |

| | |
|---|----------|
| DECLARATION OF KNOWN MASTER MASON. | SECTION |
| Lawful information..... | 163 |
| DEFENSE. | |
| Accused may employ counsel..... | 381 |
| DEFUNCT LODGE. | |
| Property forfeited to Grand Lodge..... | 400 |
| Masonic offense for Mason not to deliver up property to Grand Lodge..... | 106 |
| Secretary no authority to act for..... | 378 |
| Material belongs to nearest lodge..... | 378 |
| Members may join other lodges..... | 486 |
| Members are non-affiliate..... | 486 |
| Dues to, remitted only by Grand Lodge..... | 336 |
| Member may get certificate in lieu of dimit..... | 314 |
| Members of not entitled to visit..... | 471 |
| Merging with another lodge its petitioners become property of such lodge..... | 506 |
| Charter restored restores all members to good standing..... | 486, 541 |
| Restoration of Mason to rights..... | 348 |
| Petitioner for degrees not received..... | 395 |
| DEGREES. | |
| Grand Lecturers to lecture upon..... | 13 |
| Stevenson work adopted..... | 19 |
| Ancient Masonry consists of only three degrees..... | 28 |
| Royal Arch Chapters are legally constituted Masonic bodies | 28 |
| Master Mason's lodge must first be opened, and then de- gree lodge opened..... | 42 |
| Conferred by request, no charge for..... | 258 |
| Conferred in another lodge by request of unanimous vote.. | 515 |
| Conferred by request candidate signs By-laws of lodge mak- ing request..... | 160 |
| Petition for, only two ballots on..... | 500, 503 |
| More than one cannot be conferred unless due proficiency shown | 136 |
| May be given to not exceeding five at same communica- tion..... | 521, 567 |
| May be given man not speaking English language..... | 210 |
| Petitioner for, must present himself in six months..... | 592 |
| Loss of leg disqualifies..... | 548a |
| DELEGATE. | |
| Must appoint proxy in writing..... | 242 |
| DELIVERY. | |
| Of dimit immaterial, effective from lodge action..... | 407 |
| DENIAL OF SUPREME BEING. | |
| By Grand Orient of France..... | 376 |

| | |
|---|---------------|
| DEPOSITIONS. | SECTION |
| Notice of taking given accused..... | 174, 244, 272 |
| DEPUTY CUSTODIAN. | |
| Cannot order ballot..... | 179 |
| DESERTION. | |
| From army not a Masonic offense..... | 126 |
| DIMIT. | |
| Form of conditional..... | 594 |
| For purpose of joining another lodge..... | 594 |
| Master and Wardens cannot..... | 294 |
| Deacon cannot..... | 412 |
| Can issue only to Master Mason, not to Entered Apprentice..... | 463 |
| Demandable when..... | 273 |
| Brother entitled to when..... | 364 |
| Matter of right when..... | 540 |
| Should have seal affixed..... | 331 |
| Not granted if charges pending..... | 332 |
| Not granted when notice given of charges..... | 382 |
| Not entitled to..... | 143 |
| Demandable, even if intention to join no other lodge..... | 540 |
| Return to lodge granting does not restore to membership..... | 552 |
| Not entitled unless acquitted of charges..... | 143 |
| Issue of, does not prevent trial for offenses occurring prior to issue of..... | 434 |
| Member may vote on own..... | 322 |
| Ballot on cannot be disclosed..... | 176 |
| Severs connection with Fraternity..... | 291 |
| Takes effect from lodges acting on same..... | 407, 507, 533 |
| Delivery of immaterial..... | 407 |
| Non-affiliate not required to present in any given time..... | 517 |
| Member of defunct lodge may get certificate in lieu..... | 314 |
| Grand Secretary may issue for defunct lodge..... | 56 |
| Mason joining Roman Catholic Church should be permitted to withdraw..... | 278 |
| Must accompany petition for lodge U. D..... | 208 |
| To be produced by each affiliating member..... | 43 |
| Must accompany petition for affiliation..... | 123 |
| DIMITED MASON. | |
| Four years a non-resident cannot be tried by lodge..... | 405 |
| Non-affiliate pending action upon petition for affiliation..... | 356 |
| May apply anywhere for membership..... | 259 |
| Must sign By-laws on affiliation..... | 184 |
| DIPLOMA. | |
| Price of..... | 12 |
| DISMEMBERMENT. | |
| Lodge may for non-payment of dues..... | 80, 256 |

| | SECTION |
|---|--------------------|
| Failing to answer notice, admits justness of action | 413 |
| Cannot have Masonic burial | 387, 399 |
| Charges may be preferred against during | 390 |
| Payment in full reinstates | 562 |
| How restored | 248 |
| Entitled to restoration | 385, 390 |
| DISOBEYING LEGAL SUMMONS. | |
| Failing to answer summons of Grand Master | 107 |
| Suspension | 262 |
| May punish for | 263 |
| Masonic offense | 202, 278, 320, 413 |
| Individual not a joint offense | 237 |
| Properly expelled | 312 |
| Conviction for | 350 |
| Charges for | 349 |
| When brother may be restored | 536 |
| DISPENSATION TO FORM LODGE. | |
| May issue to troops for the war | 116 |
| Forming lodge under, severs membership in chartered lodge | 232 |
| Does not transfer membership of petitioners | 183 |
| DISPENSATION. | |
| What is | 67 |
| Prerogative of Grand Master | 399, 402 |
| Grand Master may grant | 247 |
| Price of | 10 |
| What is abroad | 509 |
| Granted returning money to applicant changing mind | 510 |
| Grand Master may fix jurisdiction by | 375 |
| Asked for only by Master of lodge | 284 |
| Cannot issue to permit work with less than seven | 419 |
| Cannot issue to set aside will of Grand Lodge | 399 |
| Cannot issue authorizing anything forbidden by Code | 443 |
| Cannot issue to set aside law of Grand Lodge | 459 |
| Cannot issue to vote on sojourner | 440 |
| Cannot issue to receive petition of sojourner | 445 |
| Cannot issue to initiate person who has lost right thumb and part of two fingers | 429 |
| Refused to allow Masonic burial to dismembered Mason | 399 |
| May issue to bury non-affiliated Mason | 417, 418 |
| Refused to allow ballot before twelve months residence acquired | 399 |
| Not granted when candidate has lived less than twelve months in jurisdiction | 416, 511 |

| | SECTION |
|---|---------------|
| Shortening time, allowed when..... | 489 |
| Refused where lodge in whose jurisdiction candidate lived has not waived jurisdiction..... | 336 |
| Refused allowing re-ballot on petition within twelve months..... | 399, 446 |
| Refused allowing petition to be acted on at special meeting..... | 447 |
| Refused permitting second ballot after meeting closed..... | 448 |
| Refused allowing officer to resign..... | 449 |
| Necessary to elect officers at other than regular date..... | 157, 368 |
| Refused where Master has not served as Warden..... | 317, 444 |
| Refused to allow election of new Secretary..... | 426 |
| Refused to allow lodge to receive petition of minister with- out fee..... | 399 |
| Deputy Custodian cannot issue..... | 179 |
| DISTRESSED WIDOW. | |
| Failure to turn over money collected for, a Masonic offense..... | 352 |
| DISTRICT DEPUTIES. | |
| Duties of..... | 589 |
| DOG. | |
| Controversy over ownership is not subject of trial..... | 406 |
| DORMANT LODGES.—See Defunct Lodge. | |
| DRUNKENNESS. | |
| High Masonic crime..... | 172, 226, 238 |
| Sufficient for blackball..... | 198 |
| Charges should be preferred for..... | 462 |
| Single act, reprimand..... | 351, 371, 421 |
| DUES. | |
| Lodge may dismember for non-payment..... | 80, 152, 256 |
| Non-payment of, must comply with By-laws..... | 248 |
| Cannot punish for failure to pay..... | 23 |
| Lodge cannot suspend for..... | 558 |
| Cannot expel for..... | 188 |
| Cannot be had out of lunatic..... | 408 |
| Non-affiliate not chargeable with..... | 271 |
| Minister of Gospel cannot be remitted by lodge..... | 159 |
| Lodge may remit for cause..... | 189 |
| To defunct lodge remitted by Grand Lodge only..... | 339 |
| Dismemberment for non-payment of dues reinstated by pay- ment in full..... | 562 |
| DUE FORM. | |
| In lodges U. D., a Grand Officer present..... | 141 |
| DUE PROFICIENCY. | |
| What is..... | 92, 475 |
| Made in open lodge..... | 136 |
| Must make before advancement..... | 149, 441 |

| | SECTION |
|---|--------------|
| Passed upon by Master, not by vote of lodge..... | 531 |
| DUPLICATE CHARTER. | |
| Creates no new lodge..... | 182 |
| ELECTIONS. | |
| Lodge By-law for must conform to Grand Lodge law..... | 133 |
| Held only on date prescribed in By-laws..... | 71, 79, 157 |
| Grand Master may give dispensation for other date..... | 71, 157, 368 |
| Must be as Grand Lodge prescribes..... | 362 |
| Dispensation refused where Secretary had removed..... | 426 |
| EMBEZZLEMENT OF FUNDS. | |
| Of another secret order is subject of expulsion..... | 571 |
| EMBLEMS. | |
| Improper to use in advertisements..... | 108 |
| EMERGENCY. | |
| About to travel is not case of..... | 302 |
| EMPLOYING COUNSEL. | |
| To defeat application to retail ardent spirits is not Masonic offense..... | 94 |
| ENTERED APPRENTICE. | |
| Master Masons' lodge must first be opened..... | 42, 481, 496 |
| Cannot dimit..... | 463 |
| Lapse of time does not forfeit right to degrees..... | 515 |
| Lapse of forty years does not forfeit right to advancement.... | 555 |
| Fees not forfeited, if delays longer than six months before advancement..... | 484, 487 |
| Petition for solely, not to be received..... | 50 |
| Balloting for is improper..... | 370 |
| Ballot cannot be had conferring..... | 488 |
| Ballot may be demanded on passing..... | 44 |
| Can be kept from passing for improper conduct..... | 45 |
| May be stopped by ballot..... | 167, 250 |
| Losing right arm cannot be passed..... | 150 |
| Cannot demand lodge investigate prior conduct, but may demand committee outside..... | 45 |
| Cannot take F. C. and M. M. degrees in another lodge except with unanimous consent of lodge electing..... | 515 |
| Of defunct lodge..... | 395 |
| Of defunct lodge gets degrees from nearest lodge..... | 378 |
| EVIDENCE. | |
| Not supporting charges, Grand Lodge may reverse..... | 23 |
| When Committee may take..... | 464 |
| Not sustaining charges, case should be dismissed..... | 492 |
| Transcript omitting, remanded..... | 229 |
| Reported with suspensions and expulsions..... | 156 |

| | SECTION |
|--|----------|
| Record of conviction in courts is..... | 414 |
| Notes of evidence from courts not admissable..... | 414 |
| Testimony taken in civil courts not competent..... | 301 |
| Affidavits taken without notice should be excluded..... | 545 |
| EXAMINATION OF CANDIDATES. | |
| Labor dispensed with for..... | 531 |
| EXCLUSION FROM MEMBERSHIP. | |
| For failure to pay dues..... | 152 |
| Must be after notice..... | 174 |
| Makes non-affiliated Mason..... | 181 |
| EX-PARTE PROCEEDINGS. | |
| Lodge should not try on..... | 279 |
| Address unknown lodge may proceed..... | 190 |
| EXPELLED MASON. | |
| Grand Lodge may restore..... | 366 |
| Sentence follows wherever he goes..... | 490 |
| Children of lose rights with father..... | 173 |
| Restored by unanimous vote of lodge..... | 154, 197 |
| Petition lies over one month..... | 514 |
| Petition for restoration cannot be withdrawn..... | 365 |
| Rejected, for restoration cannot apply for twelve months.... | 534 |
| Removing from jurisdiction, must petition lodge for resto- ration that acted in matter..... | 569 |
| When evidence not competent..... | 359 |
| EXPENSES. | |
| Directors of Orphan Asylum paid attending Grand Lodge.. | 546 |
| Committee on Foreign Correspondence..... | 96 |
| Grand Master..... | 93 |
| EXPRESSIONS. | |
| Unmasonic in minutes, criticised..... | 132 |
| EXPOSURE. | |
| Threat to make, of secrets of Freemasonry is offense..... | 91 |
| EXPULSION. | |
| Only for gross misdemeanor, or for heinous and disgraceful crime..... | 23 |
| Reported to Grand Lodge..... | 26 |
| Cannot be for failure to attend meeting..... | 23 |
| Cannot be for failure to pay dues..... | 23, 188 |
| Cannot be had until specifications established..... | 276 |
| From Commandery does not affect Masonic standing..... | 77 |
| Transcript must show two-thirds vote..... | 230 |
| Disobeying summons of Grand Master..... | 107 |
| Embezzlement of funds of another order is grounds for..... | 571 |
| Falsely charging theft and bribery sufficient..... | 264 |
| Difficulty between two brethren and one expelled—other | |

| | SECTION |
|--|--------------|
| may be tried..... | 187 |
| Changed to suspension..... | 262 |
| EXTINCT LODGES. | |
| Grand Secretary may issue dimits for..... | 56 |
| Property forfeited to Grand Lodge..... | 24 |
| EXTORTING MONEY. | |
| Is Unmasonic conduct..... | 373 |
| EYE. | |
| Loss of does not disqualify petitioner..... | 554 |
| FAILURE TO PAY OVER. | |
| Money collected for distressed Master Mason's Widow is Masonic offense..... | 352 |
| FAILURE TO PAY DEBT. | |
| No Masonic offense..... | 299 |
| FALSE CHARGE. | |
| Of adulterating liquor is Unmasonic conduct..... | 373 |
| FAMILY. | |
| Abandoning, Masonic offense..... | 422 |
| FEE FOR DEGREES. | |
| Cannot be below minimum of Grand Lodge..... | 269 |
| Dispensation to return when..... | 510 |
| Appropriating to own use, Masonic offense..... | 354 |
| Lodges may establish any ratio not less than minimum..... | 14 |
| Amount optional with lodges..... | 269 |
| May be apportioned to several degrees..... | 14, 269 |
| Cannot be remitted..... | 386, 483 |
| Cannot be remitted for ministers..... | 153 |
| Must be accounted for when jurisdiction invaded..... | 196 |
| Should be paid by one lodge to another..... | 144 |
| When forfeited to nearest lodge..... | 63 |
| FELLOW CRAFT. | |
| Wears apron with flap down..... | 585 |
| E. A. can be stopped..... | 250 |
| E. A. losing right arm can not be passed..... | 150 |
| Ballot may be demanded on raising..... | 44 |
| Master's lodge must first be opened..... | 42, 481, 496 |
| FELONY. | |
| Conviction for, forfeits right to Masonic burial..... | 523 |
| Guilt may be shown by record of court's conviction..... | 414 |
| FINGERS. | |
| Loss of all on right hand renders ineligible..... | 577 |
| Loss of three and thumb on right hand renders ineligible.... | 575 |
| FIRE. | |
| Records destroyed by..... | 297 |

| | SECTION |
|---|----------|
| FOREIGN CORRESPONDENCE. | |
| Committee to report at succeeding Grand Lodge meetings.. | 18 |
| FOREIGNER. | |
| May petition for degrees..... | 410 |
| FORGERY. | |
| Charge not sustained..... | 266 |
| FRANCE. | |
| Grand Orient of, interdicted..... | 357 |
| FRATERNAL RELATIONS. | |
| Severed between so-called Scottish Masons of Louisiana and this Grand Lodge..... | 199, 204 |
| FUNERALS. | |
| Masons to appear in badges peculiar to their Masonic rank | 2 |
| Proper mourning for..... | 267 |
| Royal Arch Masons present noted as Masons..... | 213 |
| GOD. | |
| Belief in necessary..... | 357, 432 |
| GOVERNMENT OF LODGES. | |
| By-laws must yield to Grand Lodge By-laws when conflict.. | 544 |
| GRAND LECTURER. | |
| Commissioned for one year..... | 178 |
| To examine lodge records..... | 137 |
| To visit and instruct lodges..... | 32 |
| To visit lodges..... | 17 |
| Appointed by Grand Master..... | 17 |
| To attend Grand Lodge and lecture on degrees..... | 13 |
| Established..... | 9 |
| GRAND LODGE. | |
| Jurisdiction of..... | 379, 467 |
| May divide jurisdiction as it sees fit..... | 249 |
| Determines jurisdiction of lodges..... | 109 |
| Allotment of territory..... | 249 |
| Will approve arbitrary line fixed between two lodges by agreement..... | 205 |
| Non-affiliate cannot sit in..... | 347 |
| Can alone try Master while in office..... | 4 |
| May suspend Master pending charges..... | 115 |
| May expel Master fled from State to parts unknown..... | 37 |
| Masonic offense for Mason not to deliver property of defunct lodge to..... | 106 |
| May try and expel for disobeying Grand Master's summons | 107 |
| Authority of several recognized..... | 73 |
| Each is exclusive in its territory..... | 57 |
| Sole jurisdiction in State where located..... | 63 |

SECTION

| | |
|--|----------|
| Expenses of Grand Master borne by..... | 93 |
| Grand Representative system established..... | 29, 104 |
| District Deputies..... | 589 |
| Historian appointed by Grand Master..... | 593 |
| Masonic Temple Committee, proxy of..... | 573 |
| Lays cornerstone in open lodge..... | 495 |
| Officers elected second night..... | 20 |
| To furnish certificates..... | 34 |
| Discontinuance of use of refreshments..... | 22 |
| Directors of Orphan Asylum paid expenses attending meetings..... | 546 |
| Permanent resolutions to be printed with Proceedings..... | 25 |
| Recognizes expulsions by lodges in other States..... | 490 |
| By-laws govern when conflict with those of local lodge..... | 544 |
| No appeal from..... | 443 |
| May review finding of constituent lodge..... | 372 |
| May reverse lodge judgment..... | 233 |
| May change sentence imposed by lodge..... | 391 |
| May modify decision of lodge..... | 397 |
| May restore suspended Mason..... | 588 |
| Reversing sentence, reinstates brother..... | 315 |
| Restoration after suspension confers membership..... | 78 |
| Grounds of appeal to be stated in writing..... | 220 |
| May expel for conduct since suspension..... | 280 |
| Property of defunct lodges go to..... | 400 |
| May remit dues owing to defunct lodges..... | 339 |
| Not liable for St. John's College debts..... | 206 |
| Masons at sight not recognized..... | 201 |
| Grand Master cannot set aside laws..... | 459 |
| Jurisdiction over North Carolina troops wherever serving..... | 125 |
| Must act on all suspensions or expulsions..... | 158, 162 |
| Grand Master asked to set aside time for work exemplification..... | 53 |
| Furniture, etc., to be cared for by Grand Tiler..... | 21 |
| Committees, how appointed..... | 68 |
| Proxy to must be appointed in writing..... | 242 |
| May authorize less than two-thirds to change By-laws..... | 46 |
| Cipher work forbidden..... | 170 |
| GRAND LODGE (FOREIGN). | |
| Canada's dispute with England..... | 98 |
| Cuba recognized..... | 590 |
| Costa Rica recognized..... | 590 |
| England's union with that of York..... | 28 |
| Hamburg, edict of non-intercourse with..... | 58, 82 |

| | SECTION |
|--|--------------------|
| Louisiana, authority recognized in that State..... | 74 |
| Louisiana supreme in that State..... | 59 |
| New York, invasion by that of Hamburg denounced..... | 82 |
| St. John's Grand Lodge recognized..... | 57 |
| Phillips Grand Lodge interdicted..... | 57 |
| Queensland recognized..... | 591 |
| Virginia concurrent jurisdiction..... | 467, 478 |
| York union with England..... | 28 |
| Grand Orient of France interdicted..... | 199, 204, 357, 376 |
| GRAND MASTER. | |
| Lay abstracts of communications before Grand Lodge..... | 1, 27 |
| Power as to dispensations..... | 247 |
| Bound by Grand Lodge and Masonic laws..... | 440 |
| Dispensation is prerogative of..... | 399, 402 |
| Dispensation cannot issue for anything forbidden by Code.. | 443 |
| Cannot set aside Grand Lodge laws..... | 459 |
| May grant dispensation to ballot party going abroad..... | 509 |
| Dispensation to bury non-affiliate..... | 417, 418 |
| Appoints district deputies..... | 589 |
| Appoints Historian..... | 593 |
| Appoints Grand Representatives..... | 104 |
| Appoints Grand Lecturer..... | 17 |
| Decide any conflicting resolutions of Grand Lodge..... | 25 |
| Expenses paid by Grand Lodge..... | 93 |
| Declined to warrant army lodges outside of State..... | 118, 120 |
| May issue dispensation for election..... | 71 |
| May suspend Master..... | 538 |
| Investigate charges against Master in office..... | 5 |
| May direct lodge to try charges against Master..... | 6 |
| May summons Masons for refusing to deliver up property of Grand Lodge to him..... | 107 |
| Commissions appointees for one year..... | 178 |
| Corresponds with lodge through Secretary under seal..... | 112 |
| May issue dispensation for lodge to elect officers..... | 157 |
| Cannot make Masons at sight..... | 66, 127, 201 |
| GRAND OFFICERS. | |
| Elected second night of Annual Communication..... | 20 |
| GRAND REPRESENTATIVES. | |
| Resolution authorizing..... | 104 |
| Established..... | 29 |
| GRAND SECRETARY. | |
| Lay all communications before Grand Master..... | 1, 27 |
| Fees of..... | 11, 12 |
| To keep list of transient brethren..... | 33 |

| | SECTION |
|---|----------|
| Books to be examined by committee..... | 41 |
| May issue dimits for dormant lodges..... | 56 |
| To obtain portraits of Grand Masters..... | 138 |
| GRAND STEWARDS. | |
| To discontinue refreshments..... | 22 |
| GRAND TREASURER. | |
| To obtain (with G. Sec'y) portraits of Grand Masters..... | 138 |
| To report moneys on hand..... | 16 |
| GRAND TILER. | |
| To care for furniture of Grand Lodge..... | 21 |
| HAIR LIP. | |
| Double, renders ineligible to degrees..... | 576 |
| HALLS. | |
| Dancing and card playing not allowed..... | 185 |
| HAND. | |
| Loss of right hand, ineligible | 560 |
| HEARING. | |
| Loss of sense of, renders ineligible..... | 289 |
| HEARSAY EVIDENCE. | |
| Not admissible..... | 352, 545 |
| HISTORIAN. | |
| Appointed by Grand Master..... | 593 |
| HOLY SCRIPTURES. | |
| Belief in authenticity necessary..... | 36 |
| ILLEGAL. | |
| Election of officers at other than Grand Lodge directs..... | 362 |
| ILLEGAL INTERCOURSE. | |
| Conviction for, with Mason's daughter follows expelled Mason | 490 |
| ILLICIT DISTILLING. | |
| Unmasonic conduct | 328 |
| ILLITERATE MAN. | |
| Eligible to degrees..... | 454 |
| INADMISSIBLE. | |
| Hearsay testimony is on trials..... | 352 |
| INDEFINITE SUSPENSION. | |
| Mason under may be tried and expelled..... | 384 |
| INSANE.—See Lunatic. | |
| INSTALLATION. | |
| Must be at time Grand Lodge prescribes..... | 362 |
| Any Past Master may install..... | 343 |
| By proxy when..... | 346, 430 |
| By proxy, must have assent of absent officer..... | 364 |
| Void when by proxy without consent..... | 430 |

| | SECTION |
|--|-------------------|
| Re-elected officers must be installed..... | 342 |
| INSTALLED OFFICER. | |
| Cannot resign | 191, 449 |
| INTOXICATING LIQUORS. | |
| Employing counsel to defeat application to sell is not Masonic offense..... | 94 |
| INTOXICATING DRINKS. | |
| No law forbidding Mason from manufacturing or selling.... | 485 |
| INTOXICATION.—See Drunkenness. | |
| JEWEL. | |
| Master's must be worn by presiding brother..... | 341 |
| JOINT USE OF HALLS. | |
| Not favored..... | 296 |
| JUNIOR WARDEN. | |
| Succeeds to Senior Warden's station | 89 |
| May call W. M. pro tem. to preside..... | 146 |
| JURISPRUDENCE. | |
| Correspondence on, to come through Secretary under seal of lodge..... | 112 |
| JURISPRUDENCE COMMITTEE. | |
| Approve lodge By-laws | 465 |
| JURISDICTION—GRAND LODGE. | |
| What is..... | 63 |
| Asserted | 148 |
| Only one body over same territory in United States.. | 57 |
| Determined by State lines | 379 |
| Authority of several Grand Lodges recognized..... | 73 |
| Petitioners outside of State not admitted..... | 345 |
| Concurrent given other Grand Lodges when..... | 467 |
| Grand Master declined to warrant army lodges outside of State..... | 118, 120 |
| Over State troops wherever they be | 125 |
| JURISDICTION.—CONSTITUENT LODGE. | |
| Perpetual holds in this State..... | 564 |
| Lodge acquiring over rejected candidate holds | 255 |
| Not acquired over non-affiliate by rejection..... | 491 |
| Fixed by Grand Lodge..... | 109 |
| Each Lodge allotted by Grand Lodge..... | 249 |
| When exclusive..... | 63 |
| Adjoining lodges may agree on arbitrary line, Grand Lodge will approve..... | 205 |
| Lodges may arrange for concurrent..... | 587 |
| Lodges when concurrent..... | 63 |
| Lodge has penal as well as territorial..... | 97, 253, 480, 586 |

| | SECTION |
|--|---------------|
| Penal corresponds with territorial | 468 |
| Lodge may try resident Masons not members..... | 35 |
| Twelve months residence necessary..... | 217, 416 |
| Residing six months annually in each of two lodges, may petition either..... | 431a |
| Non-affiliate, twelve months residence unnecessary..... | 519 |
| Petitioner for affiliation may apply anywhere..... | 455, 357 |
| Air line governs..... | 219, 375 |
| When no jurisdiction, petition may be withdrawn..... | 165 |
| Unanimous vote required to give another lodge over peti- tioner..... | 453 |
| Waived by majority of lodge..... | 511, 513, 516 |
| Lodge without, must obtain consent in writing | 450 |
| Lodge may receive petition from resident foreigner..... | 410 |
| Lodge has over soldier absent in the army..... | 122 |
| Masonic residence same as civil | 539 |
| Expelled Mason must petition lodge expelling for restora- tion..... | 569 |
| One lodge cannot invade that of another..... | 144 |
| When invaded must account for fees | 196 |
| Adjoining towns..... | 298 |
| E. A. of defunct lodge, assent of Grand Master of that State must be had..... | 395 |
| Lodge U. D. is concurrent with nearest chartered lodge. | 403 |
| Lodge U. D. must not invade sister lodge's..... | 461 |
| Lodges U. D. have no territorial..... | 249 |
| KNEE. | |
| Loss of leg below renders ineligible..... | 393 |
| Stiff knee renders ineligible..... | 394 |
| Unable to bend left, renders ineligible..... | 579 |
| LANDMARKS. | |
| Must not be infringed..... | 119, 121 |
| LANGUAGE. | |
| Abusive should not be used..... | 353 |
| LAPSE OF TIME. | |
| Does not debar E. A. from remaining degrees..... | 515, 555 |
| LAWFUL AGE. | |
| Twenty-one years is..... | 482 |
| Petitioner must be of..... | 565 |
| LAWFUL INFORMATION. | |
| What is | 163 |
| LAY ON TABLE. | |
| Proper motion in Masonic lodge..... | 295 |
| LAYING OF CORNERSTONE. | |
| In open lodge..... | 495 |

| LECTURERS. | SECTION |
|--|---------------|
| To examine applicants for license to lecture..... | 584 |
| Recommended by the Custodians..... | 584 |
| LEFT HAND.—See Physical Qualification. | |
| LEG. | |
| Loss of, renders ineligible..... | 289, 393, 574 |
| LEGAL NOTICE. | |
| What is..... | 203 |
| Master's summons is..... | 216 |
| Seal of lodge and signature of Secretary affixed..... | 334 |
| LIBRARY. | |
| Grand Secretary to accumulate..... | 15 |
| LIE OVER. | |
| Petitions for degrees must for one month..... | 489 |
| LIQUOR SELLING. | |
| Unmasonic conduct..... | 261 |
| LODGES UNDER DISPENSATION. | |
| Powers of..... | 67 |
| Grand Master appoints Master and Wardens..... | 67 |
| Can make Masons..... | 67 |
| Can exercise only power named in warrant..... | 67 |
| Cannot affiliate members..... | 124, 131, 249 |
| Not entitled to representation in Grand Lodge..... | 67 |
| Property belongs to Grand Lodge..... | 67 |
| Do not open or close in due form..... | 141 |
| Cannot hold public celebrations..... | 67 |
| Dispensation may issue to regiments for the war..... | 116 |
| Petition for must be accompanied by dimitts..... | 208 |
| Members may continue members of chartered lodge..... | 183 |
| Is lodge in meaning of dual membership which is forbidden..... | 207 |
| Cannot try or discipline Masons..... | 249 |
| Officer may be officer of chartered lodge..... | 186 |
| Members of lose membership in chartered lodge..... | 232 |
| Cannot enact By-laws..... | 249 |
| Has no concurrent jurisdiction with chartered lodge..... | 403 |
| Has no territorial jurisdiction..... | 249 |
| Must not use material of another lodge..... | 461 |
| Master of chartered lodge cannot be Master..... | 411 |
| LODGE FUNDS. | |
| Brother tried for conversion to own use..... | 354 |
| LODGE ROOMS. | |
| Not to be used for balls, parties, etc..... | 296 |
| Joint use not favored..... | 296 |
| LODGES OF SORROW. | |
| Not mock Masonic burials..... | 215 |

| LODGE. | SECTION |
|--|---------------|
| May receive petition from man who cannot read or write..... | 454 |
| May receive petition from pensioner sixty-one years old..... | 518 |
| May receive petition from clandestine Mason for degrees.... | 581 |
| May receive petition of bow-legged man | 580 |
| Cannot levy assessment..... | 528 |
| Cannot try for bringing civil suit, not having first submitted to lodge | 570 |
| Cannot grant dimit to Entered Apprentice..... | 463 |
| Cannot receive petition from man lost left hand..... | 493, 494, 497 |
| Cannot receive petition from person who lost either foot..... | 494, 497 |
| Cannot receive, obligate or raise but one candidate at time.. | 521, 567 |
| Cannot entertain petition of candidate rejected in another jurisdiction without consent | 564 |
| Cannot ballot on petition before committee reports..... | 508 |
| Cannot receive petition from one totally deaf..... | 559 |
| Cannot receive petition from one who has lost arm | 561 |
| Cannot receive petition from one who has double hair-lip.. | 576 |
| Cannot receive petition from one who has lost three fingers and part of thumb on right hand..... | 575 |
| Cannot receive petition from one who has lost right hand.... | 560 |
| Cannot receive petition from one under age..... | 565 |
| Cannot receive petition from one who has lost all fingers on right hand | 577 |
| Cannot receive petition from one crippled with white swelling and getting worse | 578 |
| Cannot receive petition from one who has lost leg..... | 574 |
| Cannot receive petition from person who has lost right leg below knee | 529 |
| Cannot receive petition of one who cannot bend left knee.... | 579 |
| Penal jurisdiction of | 468 |
| Has penal and territorial jurisdiction | 253, 480, 586 |
| May receive application for restoration as often as rejected.. | 532 |
| Rejected petition for restoration cannot be renewed for twelve months | 534 |
| Rejecting non-affiliate has no jurisdiction over | 491 |
| Any other lodge may be petitioned by rejected non-affiliate | 550 |
| Petition for affiliation cannot be withdrawn..... | 549 |
| Mason refusing to sign By-laws | 525 |
| Every member present must vote | 547 |
| Member present failing to vote does not invalidate ballot.... | 548 |
| Unfavorable ballot cannot be questioned | 551 |
| Non-affiliate may apply when and where | 519 |
| Charter must be present | 563 |
| In adjacent municipalities may arrange jurisdiction..... | 587 |

| | SECTION |
|---|---------------|
| Dimit issued for joining another lodge..... | 594 |
| Majority vote of those present necessary to elect officers.... | 474 |
| Non-affiliate only restored by ballot after issuing of dimit.... | 552 |
| Ballot may be demanded on passing and raising..... | 583 |
| Cannot appoint Committee to investigate charges against Master | 505 |
| Master must preside at trial..... | 504 |
| Open when cornerstone is laid..... | 495 |
| Cannot criticise member blackballing for non-age..... | 502 |
| Grand Lodge may suspend..... | 538 |
| Cannot hold regular meetings at other times than By-laws prescribe | 452, 526 |
| Cannot open for business with six members and one visitor | 530 |
| Must be opened on third degree..... | 481, 531, 496 |
| Past Masters made in Chapters not recognized as such | 476 |
| Shall not recognize Cerneauism, or its members..... | 458 |
| Rejected candidate for advancement may apply any time thereafter..... | 520 |
| Rejected non-affiliate cannot demand admission, or that charges be preferred against him..... | 535 |
| Only two ballots on petition for degrees..... | 500, 503 |
| Hearsay testimony not received on trials | 545 |
| Bound by irregular election of member..... | 498, 499 |
| Dispensation issued to refund fees to petitioner who objected to person receiving degrees..... | 510 |
| Candidate signs By-laws of lodge electing him | 512 |
| Cannot try Master..... | 470 |
| Officer cannot resign..... | 449 |
| Minutes to be approved before lodge closes..... | 479 |
| Material of one not to be used by another..... | 461 |
| By-laws approved by Jurisprudence Committee..... | 465 |
| Expelling must be petitioned for restoration..... | 569 |
| Objection filed stops advancement of candidate..... | 456 |
| Objection to advancement should be made in open | 568 |
| Accepting property of another takes its unfinished material | 506 |
| Cannot suspend for non-payment of dues, (it can dismember) | 558 |
| Nearest does not have territorial jurisdiction over non-affili- ate | 557 |
| Removal to another part of same town by majority vote..... | 522 |
| Rejecting non-affiliate must give consent to joining any other lodge unless removes from jurisdiction..... | 469 |
| When cannot refuse dimit..... | 540 |
| Should not print names to be balloted on in notice of meet- ings..... | 542 |

| | SECTION |
|---|----------|
| Must permit accused to be heard in defense | 545 |
| Cannot rescind act restoring suspended Mason | 543 |
| Petition for degrees must lie over one month, even if meeting weekly..... | 251, 544 |
| Unanimous vote necessary to waive jurisdiction over candidate | 453 |
| Unanimous vote necessary to ask sister lodge to confer degrees on candidate | 515 |
| Summoned to vote on petition of expelled Mason for restoration | 514 |
| Dimitted Mason affiliated by ballot only | 533 |
| Dimit effective from granting..... | 507, 533 |
| Can only suspend on charges..... | 460 |
| Non-affiliate no right to visit..... | 427 |
| When Senior Warden cannot call Special Communication.. | 428 |
| Decides what is charity..... | 431 |
| Pending appeal accused has no right to visit..... | 437, 438 |
| Pending appeal convicted brother has no Masonic privileges | 442 |
| Consent of rejecting lodge, how obtained..... | 425 |
| May pass By-law requiring Treasurer to give bond..... | 424 |
| Must try on specifications | 422 |
| Dispensation will not issue to permit work with less than seven members..... | 419 |
| Consent of had, when petitioner has not resided twelve months | 416 |
| Master of cannot be appointed Master of lodge U. D..... | 411 |
| Lunatic not liable for dues | 408 |
| Lunatic cannot enter | 408 |
| Dimit effective from action of..... | 407 |
| No jurisdiction to try dimitted brother four years a non-resident..... | 405 |
| Jurisdiction with chartered is concurrent for lodge U. D..... | 403 |
| Irregular to try at meeting when charges are presented..... | 404 |
| Should not try for refusal to pay for a still..... | 401 |
| Membership falling below seven forfeits charter..... | 400 |
| Should not attempt to control suits at law..... | 398 |
| Decision may be modified by Grand Lodge..... | 397 |
| Member allowing mother to become county charge..... | 392 |
| Cannot bury a Mason excluded for non-payment of dues.... | 387 |
| Should allow time to file charges..... | 382 |
| Accuser, with consent of, may employ counsel..... | 381 |
| Material of defunct belongs to nearest..... | 378 |
| Cannot receive petition of sojourner..... | 377 |

| | SECTION |
|---|----------|
| Members forbidden to visit French lodges..... | 376 |
| May try and expel for murder..... | 374 |
| Jurisdiction air line..... | 219, 375 |
| Should approve minutes before closing..... | 370 |
| Must elect officers at time fixed by Grand Lodge..... | 368 |
| Need not try when..... | 367 |
| May restore expelled Mason..... | 366 |
| When petition may be withdrawn..... | 365 |
| Must be duly constituted..... | 362 |
| May withdraw matter from Committee..... | 361 |
| May direct use of lodge seal..... | 360 |
| Cannot receive petition from non-resident..... | 345 |
| Master may call anyone to preside over..... | 344 |
| Re-elected officers must be installed..... | 342 |
| Electing rejected material must secure assent of lodge rejecting..... | 337 |
| Cannot receive petition from resident of another lodge's jurisdiction..... | 336 |
| What is legal notice..... | 334 |
| Dimit not granted when charges pending..... | 332 |
| Attach seal to dimit..... | 331 |
| Members must be allowed to vote..... | 327 |
| All present must vote..... | 325 |
| Majority vote governs..... | 324 |
| Master must decide points of order..... | 323 |
| Member may speak..... | 323 |
| All members entitled to vote..... | 322 |
| Motion cannot be withdrawn without consent of lodge..... | 321 |
| May be summoned by Master for a trial..... | 318 |
| Members notified of trial, not summoned..... | 318 |
| Master must have served as Warden..... | 317 |
| When Past Master may open..... | 316 |
| Charter arrested, Masonic standing of members not affected..... | 313 |
| May expel for disobeying legal summons..... | 312 |
| Appeal from, must state grounds..... | 311 |
| Opened on third degree for trial..... | 310 |
| May levy tax contribution to benevolent object..... | 307 |
| Jurisdiction in adjoining towns..... | 298 |
| When non-affiliate may prefer charges..... | 292, 293 |
| Names of non-affiliates not to be published..... | 288 |
| Suspended Mason present sufficient reason for not opening lodge..... | 286 |
| Suspended Mason cannot visit..... | 286 |
| May ask for dispensation..... | 284 |
| Cannot receive petition of maimed candidate..... | 281 |

| | SECTION |
|---|----------|
| Must take ballot on specifications on trial..... | 276 |
| Must vote on specifications | 276 |
| Cannot try by Committee..... | 274 |
| To issue dimit when requested..... | 273 |
| Master must serve as Warden to be eligible..... | 270 |
| May fix fees for degrees..... | 269 |
| No appeal from verdict of acquittal..... | 268, 282 |
| Majority vote convicts in trials | 265 |
| May punish for false accusations..... | 264 |
| May punish for disobeying legal summons..... | 263 |
| May suspend for disobeying legal summons..... | 262 |
| Conferring degrees by request, no charge..... | 258 |
| Rejecting petition, must give assent on subsequent petition to another lodge..... | 255 |
| Non-payment of dues | 248 |
| Master must have served as Warden..... | 247 |
| Cannot fine members for non-attendance..... | 241 |
| Suspended member restored by unanimous vote..... | 240 |
| Two-thirds may reinstate..... | 239, 240 |
| Joint charge for individual offense is error..... | 237 |
| Not to be named for living persons..... | 236 |
| Cannot refuse accused right to file answer and verify it..... | 234 |
| Judgment of on trial may be reversed by Grand Lodge..... | 233 |
| May adopt such By-laws as desired..... | 231 |
| Transcript must show requisite number present..... | 227 |
| Mason has no inherent right to visit..... | 225 |
| When charges may be preferred against visitor..... | 224 |
| Visitor objected to, Master can inquire reasons..... | 223 |
| Admission of visitor may be objected to..... | 222 |
| Visitor must take Tiler's oath..... | 218 |
| Twelve month's residence necessary to give jurisdiction..... | 217 |
| Removal of..... | 212 |
| May confer degrees on man not speaking English | 210 |
| Agreeing with another as to jurisdiction..... | 205 |
| Before trial must prefer and serve charges..... | 200 |
| Petitioner rejected, must wait twelve months..... | 193 |
| May consent to withdrawal of petition for affiliation..... | 192 |
| Installed officer cannot resign..... | 191 |
| May remit dues for cause..... | 189 |
| Cannot expel for non-payment of dues..... | 188 |
| May try one brother to difficulty after expulsion of other.... | 187 |
| Officer may also be officer of lodge U. D | 186 |
| By-laws may not be signed by proxy..... | 184 |
| New charter does not cut off old members..... | 182 |

| | SECTION |
|---|----------|
| Communication from another, when legal..... | 177 |
| Officer may be installed by proxy..... | 175 |
| Sole judge of who admitted as members..... | 169 |
| Does not recognize Chapter Past Masters..... | 164 |
| Seal should be used on communications with other lodges.... | 161 |
| Raised candidates must sign By-laws..... | 160 |
| Cannot remit dues of ministers of the Gospel | 159 |
| Must report suspensions and expulsions..... | 158, 162 |
| Can elect officers only on date By-laws prescribe | 157 |
| Send evidence with reports of suspensions and expulsions.. | 156 |
| May restore expelled Mason by unanimous vote..... | 154 |
| Cannot suspend for failure to pay dues but may dismember | 152 |
| May receive petition from person unable to write name..... | 151 |
| By-laws must be approved by Committee on Jurisprudence | 147 |
| Master pro tem. may be called to chair..... | 146 |
| Can only be assembled in lawful manner..... | 145 |
| Initiating candidates property of another lodge must account for fees..... | 144 |
| May refuse to grant dimit when..... | 143 |
| Should not enact By-laws reenacting Grand Lodge laws, etc | 142 |
| Cannot act on petitions at same meeting when presented.... | 140 |
| Grand Lecturers to examine records and proceedings | 137 |
| Cannot confer degrees unless proficiency be shown..... | 136 |
| Need not approve Committees appointed by Master | 134 |
| Cannot have every meeting a day of election..... | 133 |
| Minutes should not contain Unmasonic expressions..... | 132 |
| Minutes approved at same meeting as when written..... | 130, 135 |
| Mason cannot belong to two..... | 123 |
| May receive petitions of soldier absent in army..... | 122 |
| Not to receive maimed candidates..... | 119, 121 |
| Every Mason ought to belong to some | 117 |
| Non-affiliate not entitled to visit..... | 117 |
| Correspondence with Grand Master through Secretary under seal of..... | 112 |
| Not essential for Master to have Past Master's degree in presiding..... | 111 |
| To give notice of reinstatements..... | 110 |
| Cannot determine its jurisdiction..... | 109 |
| Must read and approve minutes before closes..... | 101 |
| Cannot act on petition for degrees at special meeting..... | 99 |
| Has territorial as well as affiliated jurisdiction in trials..... | 97 |
| Appeal reversed for technicality, case is certified for new trial..... | 95 |
| What is due proficiency | 92 |

| | SECTION |
|---|---------|
| May tax non-affiliate for visiting..... | 88 |
| Numbering of..... | 87 |
| Cannot try while at refreshment..... | 86 |
| Cannot try by committee..... | 85 |
| Cannot try suspended Mason for acts during suspension..... | 84 |
| Cannot try for Unmasonic conduct generally..... | 83 |
| Restoration by Grand Lodge confers membership..... | 78 |
| Expulsion from Commandery does not affect standing in.... | 77 |
| Established by Scottish Rite are illegal..... | 75 |
| Cannot be established by Scottish Rite..... | 74 |
| Cannot meet on Sunday excepting funerals and cases of charity..... | 72 |
| Committees, how appointed..... | 68 |
| Suspended Mason restored by Grand Lodge is not a mem- ber..... | 64 |
| Concurrent jurisdiction..... | 63 |
| Exclusive jurisdiction..... | 63 |
| Cannot try Master..... | 62 |
| Vote by show of hands or ballots..... | 61 |
| Appeal from Master's decision lies only to Grand Lodge..... | 60 |
| Members of Pythagoras Lodge, N. Y., cannot visit..... | 58 |
| How removed..... | 55 |
| Do not adjourn but closes..... | 52 |
| Dispense with labor in opening on lower degree..... | 51 |
| Must not receive candidate's petition merely for E. A. degree..... | 50 |
| Cannot ballot for initiating and raising at same meeting..... | 49 |
| Close or call off, do not adjourn..... | 48 |
| Cannot punish for non-attendance..... | 47 |
| By-laws requiring two-thirds present to amend may be amended by permission of Grand Lodge..... | 46 |
| Not exceeding three to appoint same proxy..... | 38 |
| May try resident Masons not members..... | 35 |
| To be visited and instructed by Grand Lecturers..... | 32 |
| Return resident Masons..... | 31 |
| Cannot meet alternately at two separate places..... | 30a |
| Notify of suspensions, expulsions, etc..... | 26 |
| Not entitled to representation in Grand Lodge unless returns made and dues paid..... | 24 |
| Cannot punish for failure to attend meetings or pay dues.... | 23 |
| Discontinuance of refreshments recommended..... | 22 |
| May establish any ratio for fees for degrees not under min- imum..... | 14 |
| No right to inflict corporal punishment..... | 8a |

| | SECTION |
|--|----------|
| Cannot try its Master..... | 4 |
| Cannot receive petition for degrees from candidate resid- ing nearer another lodge..... | 3 |
| To notify other lodges of rejections..... | 3 |
| Proxy must have written authority | 39 |
| LOSS OF LEG. | |
| Disqualifies candidate..... | 289 |
| LOSS OF FINGERS. | |
| Two on right hand eligible..... | 524 |
| LUNATIC. | |
| Member adjudged, not liable for dues pending..... | 408 |
| Cannot enter lodge | 408 |
| MAILING. | |
| To last address is legal..... | 334 |
| MAIMED CANDIDATES. | |
| Not received | 281 |
| When admitted | 65 |
| MAJORITY. | |
| Vote of members present necessary to elect officers..... | 474 |
| Governs action of lodge..... | 324 |
| Vote convicts on trials..... | 265 |
| MAKING MASONS AT SIGHT. | |
| Not countenanced..... | 200, 201 |
| Grand Master can make (overruled)..... | 66, 127 |
| MASONIC ASSISTANCE. | |
| Widow remarrying forfeits right to | 477 |
| MASON. | |
| Cannot be called to account for vote given..... | 435 |
| Joining Catholic Church should be permitted to withdraw.... | 278 |
| Mourning..... | 267 |
| Suicide entitled to Masonic burial | 254 |
| No inherent right to visit | 225 |
| Chapter Masons present to be noted among Masons present | 213 |
| Cannot belong to two lodges | 207 |
| MASONIC BURIALS. | |
| Mock are discouraged..... | 562 |
| Snicide entitled to..... | 254, 523 |
| Convicted murderer not entitled to..... | 523 |
| Dispensation may issue for non-affiliate's burial when | 417, 418 |
| Cannot be had when dismembered for non-payment of dues | 387 |
| Non-affiliate not entitled to..... | 117, 246 |
| MASONIC CHARITY. | |
| Remarriage of widow forfeits | 304 |
| MASONIC HALLS. | |
| Dancing not allowed | 185 |

SECTION

| | |
|---|-----|
| Balls not permitted | 185 |
| MASONIC INTERCOURSE. | |
| Forbidden with Cerneau Lodges and its members | 59 |
| MASONIC LAW. | |
| Applies to all Masons | 459 |
| Grand Master custodian of | 402 |
| Embraces written and oral | 402 |
| MASONIC OFFENSE. | |
| Embezzling funds of another secret order is | 571 |
| Wilful refusal to sign By-laws is | 525 |
| Conviction for follows person wherever he goes | 490 |
| Conducting of business may be when | 485 |
| No law prohibiting Mason from engaging in manufacture or sale of intoxicating liquor | 484 |
| May be tried by lodge in whose jurisdiction occurs | 468 |
| Every wilful violation of criminal law is | 433 |
| Abandoning family is | 422 |
| Trial must be on specifications | 422 |
| Habitual drunkenness is | 421 |
| Simple and quiet controversy over ownership of dog is not .. | 406 |
| Murder is | 355 |
| Misappropriation of money is | 354 |
| Striking Master Mason is | 353 |
| Failure to pay over money collected for distressed widow is | 352 |
| Illicit distilling is | 328 |
| Failure to pay debt is not | 299 |
| Violations of moral law are | 238 |
| Profanity | 238 |
| Drunkenness | 238 |
| Individual should not be charged as joint offense | 237 |
| Violation of moral law is | 226 |
| What is not | 171 |
| Profanity and drunkenness are | 172 |
| Failure to pay over money collected for distressed widow is | 195 |
| Difficulty between two brethren—one expelled—other may be tried | 187 |
| Desertion is not | 126 |
| Mason not delivering up to Grand Lodge property of defunct lodge is guilty of | 106 |
| Principal must be tried before aider or abettor can be tried | 105 |
| Passing counterfeit money is | 102 |
| Employing counsel to defeat applicants petition to retail ardent spirits is not | 94 |
| Threat to expose secrets of Freemasonry is | 91 |

| | SECTION |
|---|---------|
| Giving word as a Master Mason and then violating same is | 90 |
| MASONIC PRIVILEGES. | |
| Convicted, has none pending appeal..... | 442 |
| Daughter of expelled Mason no claim on Fraternity..... | 173 |
| MASONIC RIGHT. | |
| Non-affiliate none but of petitioning for affiliation..... | 290 |
| Notice must be given | 174 |
| MASONIC STANDING. | |
| Dimit granted after death does not affect | 507 |
| Not affected by arrest of charter..... | 313 |
| MASONIC TEMPLE. | |
| Committee on made proxy of Grand Lodge..... | 573 |
| Lodges requested to subscribe to..... | 572 |
| MASONRY. | |
| Knows no sect or creed | 278 |
| Cypher work forbidden | 170 |
| MASTER. | |
| Cannot re-open declaration of ballot electing petitioner because brother present failed to vote..... | 548 |
| Grand Master may suspend..... | 538 |
| Passes upon due proficiency..... | 531 |
| Committee of lodge cannot investigate | 505 |
| Must preside at trial..... | 504 |
| Cannot be tried by lodge..... | 470 |
| Must have served as Warden..... | 444 |
| Must call Special Communications..... | 428 |
| Cannot be appointed Master of lodge U. D..... | 411 |
| Charges against, how brought..... | 388 |
| Cannot have false entry made on minutes | 369 |
| May call any one to preside | 344 |
| Brother presiding must wear jewel of..... | 341 |
| May call any one to preside..... | 340 |
| Discretionary power to summons | 333 |
| May summons orally..... | 330 |
| Cannot ignore motion | 326 |
| May allow members not voting to retire..... | 325 |
| Decides points of order..... | 323 |
| Cannot withdraw motion without consent of lodge..... | 321 |
| May summons lodge for a trial..... | 318 |
| Must have served as Warden..... | 317 |
| Cannot resign or dimit..... | 294 |
| Reinstated by failure of charges..... | 287 |
| Suspended by Grand Master which Grand Lodge does not sustain..... | 287 |

| | SECTION |
|--|---------|
| Must exclude suspended Mason from meeting..... | 286 |
| Can ask for dispensation..... | 284 |
| Cannot make and break a tie vote..... | 283 |
| Must serve as Warden..... | 270 |
| Cannot grant new trial..... | 252 |
| Must have served as Warden..... | 247 |
| May issue summons..... | 216 |
| Notices of removal of lodge given to..... | 212 |
| Signature to minutes not necessary..... | 166 |
| Cannot allow petition to be withdrawn..... | 165 |
| Master pro tem. may be called to the chair..... | 146 |
| Assembling and appointing officers of another lodge liable to censure..... | 145 |
| Of another lodge cannot assemble and appoint officers..... | 145 |
| Committees named by need not be approved by lodge..... | 134 |
| Grand Lodge may suspend pending charges..... | 115 |
| Absconding can be tried at first communication of Grand Lodge..... | 113 |
| Need not have Past Master's degree..... | 111 |
| Cannot call Special Communication to receive or act on petition..... | 99 |
| Vacancy in office Senior Warden fills..... | 89 |
| Death of, Senior Warden succeeds..... | 71 |
| Warden act, has authority..... | 69 |
| Of lodge U. D., appointed by Grand Master..... | 67 |
| How proceeded against..... | 62 |
| Grand Master may suspend..... | 62 |
| Lodge cannot try..... | 62 |
| No appeal to lodge from decision..... | 60 |
| Fleeing to parts unknown may be expelled by Grand Lodge..... | 37 |
| Elect may be qualified and installed by any Past Master..... | 28 |
| Tried by lodge and convicted stands suspended until Grand Lodge meets. (Reversed—lodge cannot try Master)..... | 7 |
| Cannot be tried by his lodge..... | 4 |
| Jewel of worn by presiding brother..... | 341 |
| MASTER MASON. | |
| Wears apron with corner up..... | 585 |
| Rejected applicant afterwards receiving degrees abroad, not recognized..... | 377 |
| Striking is Masonic offense..... | 353 |
| Optional whether lodge member or not..... | 246 |
| Right of visiting..... | 221 |
| Must sign By-laws..... | 160 |
| May be tried by lodge in whose jurisdiction resides..... | 97 |

| | SECTION |
|--|----------|
| Injury to by going back on word given as such is Masonic offense..... | 90 |
| MASTER MASON'S DEGREE. | |
| Lodge must first be opened on..... | 496 |
| Business to be transacted in | 42 |
| MATERIAL. | |
| Belongs to nearest lodge..... | 249 |
| MEMBERS. | |
| Seven make quorum | 530 |
| Cannot be assessed by lodge..... | 528 |
| Lodge may try its members though residing beyond lodge's jurisdiction..... | 480 |
| Of defunct lodges not entitled to visit..... | 471 |
| Cannot be restrained from voting..... | 327 |
| Not voting may be permitted to retire | 325 |
| Majority of those present govern lodge's action..... | 324 |
| May speak..... | 323 |
| Entitled to vote..... | 322 |
| Summoned on proposition to remove lodge..... | 212 |
| May object to admission of visitor..... | 222 |
| Objecting to visitor, Master can inquire into..... | 220 |
| MEETINGS. | |
| Lodge cannot hold alternately in separate places..... | 30a |
| MEMBERSHIP. | |
| When ceases conditionally..... | 594 |
| Non-affiliate acquires in former lodge only by ballot..... | 553 |
| Non-affiliate cannot regain merely by returning dimit..... | 552 |
| Charges necessary to cut off a restored Mason..... | 543 |
| Restored by restoration of charter of defunct lodge..... | 541 |
| Cannot be enforced compulsorily..... | 540 |
| Ceases when dimit granted and not at its delivery..... | 533 |
| Irregularly obtained, holds..... | 498, 499 |
| Twelve months residence not required of affiliate..... | 423 |
| Mason must sign By-laws..... | 409 |
| Dimit effective from lodge's action..... | 407 |
| Falling below seven forfeits charter..... | 400 |
| Restoration to for non-payment of dues..... | 385, 390 |
| Lost by dimitting | 291 |
| Non-affiliate may apply anywhere for..... | 259 |
| Lost non-payment of dues regained as By-laws provide..... | 248 |
| Optional whether membership shall continue..... | 246 |
| Suspension does not deprive..... | 243 |
| Unanimous vote necessary to restore suspended Mason to.... | 240 |
| Signing petition for lodge U. D. severs..... | 232 |

| | SECTION |
|---|----------------------------------|
| May be in chartered lodge and lodge U. D..... | 183 |
| Dual forbidden..... | 207 |
| Restored at expiration of definite suspension..... | 81 |
| MINUTES. | |
| Should be read and approved before lodge closes..... | { 101, 130, 135 166, 370, 479 |
| Unmasonic expressions criticised..... | 132 |
| Form of criticised..... | 146 |
| Master need not sign..... | 166 |
| Master cannot have false entry made..... | 369 |
| MINISTERS OF THE GOSPEL. | |
| Fees for degrees cannot be remitted..... | 153, 386, 483 |
| Dues cannot be remitted..... | 159 |
| MISAPPROPRIATION. | |
| Of money Masonic offense..... | 354 |
| MOCK MASONIC BURIALS. | |
| Discouraged..... | 215, 308, 562 |
| MONTH. | |
| Petition for degrees lies over one month..... | 251, 302, 489, 544 |
| MORAL LAW. | |
| Violation of Masonic offense..... | 226, 238, 485 |
| MOTHER. | |
| Mason cannot be tried for allowing mother to become county charge..... | 392 |
| MOTION. | |
| Suspension, when can be made..... | 214 |
| Must be put by Master..... | 326 |
| Seconded, cannot be withdrawn..... | 321 |
| To lay on table allowable..... | 295 |
| MOURNING. | |
| What is proper..... | 267 |
| MURDERER. | |
| Convicted, not entitled to Masonic burial..... | 523 |
| MURDER. | |
| Charge of..... | 355 |
| Lodge may try for..... | 374, 414 |
| MUSIC. | |
| May be substituted for Scriptural readings..... | 358 |
| NAME OF LODGE. | |
| Name of living person not to be given..... | 236 |
| NATURALIZATION. | |
| Unnecessary to qualify for petitioning..... | 410 |
| NEGRO LODGES. | |
| Clandestine..... | 128, 129 |
| Spurious..... | 129 |

| NEW TRIAL. | SECTION |
|--|-------------------------|
| Ordered because of defects in transcript..... | 355 |
| When granted..... | 279 |
| Cannot be granted by Master | 252 |
| Granted when no vote on specifications | 276 |
| Granted when transcript so very irregular and unintelligible | 272 |
| NON-AFFILIATE. | |
| No right to visit..... | 117, 427 |
| May visit once only..... | 117, 194 |
| Not entitled to Masonic relief..... | 117, 246 |
| Not entitled to Masonic burial..... | 117, 246 |
| Dispensation may issue to bury..... | 417, 418 |
| Exclusion makes..... | 181 |
| Dimitted Mason is..... | 273, 356 |
| Lodge may impose tax on visiting..... | 88 |
| Not chargeable with dues..... | 271 |
| Only Masonic right is that of petitioning for affiliation..... | 273, 290 |
| Names not to be published..... | 288 |
| Not entitled to seat in Grand Lodge..... | 347 |
| When may prefer charges..... | 292, 293 |
| May be tried for offense occurring prior to dimitting | 434 |
| May be invited once to visit lodge..... | 427 |
| Failing to sign By-laws Mason becomes..... | 409 |
| Members of defunct lodges are..... | 486 |
| Irregularly elected membership holds..... | 498, 499 |
| Not required to present dimit in given time..... | 517 |
| Only affiliated again by ballot..... | 533, 552 |
| Dimit must be issued even if party intends becoming..... | 540 |
| Restored by restoration of charter of lodge in which membership existed..... | 541 |
| Rejected cannot demand admission or that charges be preferred against him..... | 535 |
| Rejected in lodge granting him dimit is still non-affiliate... | 553 |
| Twelve months residence is not necessary in petitioning for membership..... | 423 |
| May apply anywhere for membership..... | 259, 455, 491, 550, 557 |
| May present petition for restoration as often as rejected..... | 532 |
| Rejected cannot petition another lodge unless removes from jurisdiction..... | 469 |
| Can apply anywhere any time..... | 519, 556 |
| NON-ATTENDANCE. | |
| Cannot be punished by fine..... | 47, 241 |
| NON-PAYMENT OF DEBT. | |
| No Masonic offense..... | 299 |

| | |
|---|---------------|
| NON-PAYMENT OF DUES. | SECTION |
| Cannot expel for..... | 188 |
| Cannot suspend for..... | 80, 558 |
| May dismember..... | 80, 256 |
| When dismembered entitled to restoration..... | 385, 390 |
| Failing to answer is an admission of propriety of dismem- berment..... | 413 |
| Excluded for, not entitled to Masonic burial..... | 387 |
| Payment in full reinstates..... | 562 |
| Can regain standing only by complying with By-laws..... | 248 |
| NON-RESIDENT. | |
| Four years dimitted, and removed from State cannot be tried..... | 405 |
| Cannot petition for degrees..... | 345 |
| NON-AGE. | |
| Sufficient reason for blackball..... | 502 |
| Ground for unfavorable report..... | 306 |
| NOT GUILTY. | |
| No appeal from verdict of..... | 268, 282, 420 |
| On specifications cannot punish..... | 283 |
| NOTICE. | |
| What is legal..... | 203, 334 |
| When legal without seal of lodge..... | 177 |
| Must be given before dismemberment for non-payment of dues..... | 256 |
| Given accused of taking of depositions..... | 272 |
| NOTICE OF CHARGES. | |
| Transcript must show service..... | 227 |
| NOTICE OF MEETINGS. | |
| Should not print candidates names to be balloted on..... | 542 |
| NOTICE OF TRIAL. | |
| May be accepted..... | 527 |
| NOTIFIED. | |
| Members are, of a trial and not summoned..... | 318 |
| NUMBER OF LODGE. | |
| Blanks in not to be filled..... | 87 |
| Determined by charter date..... | 87 |
| OBEDIENCE. | |
| Enforced only by reprimand, suspension or expulsion..... | 8a |
| OBJECT. | |
| Brother may to candidate..... | 335 |
| OBJECTION. | |
| To advancement, reasons need not be given..... | 568 |
| Can be raised after initiation..... | 250 |
| Filed to advancement of candidate stops all proceedings..... | 456 |

| | SECTION |
|---|--------------------|
| Considered withdrawn where brother dimits | 456 |
| Made in open lodge to advancement of candidate..... | 568 |
| To visiting brother sitting in lodge..... | 222 |
| Master can ask for to visiting brother..... | 223 |
| OBLIGATION.—See Tiler's Obligation. | |
| Given one at a time..... | 521, 567 |
| OFFICE. | |
| Mason accepting in honor bound to fill..... | 466 |
| Vacancy in office, how filled..... | 89 |
| OFFICER. | |
| Vacancy filled only at regular election..... | 79 |
| Cannot be forced to serve..... | 430 |
| May be installed by proxy..... | 175, 346, 364, 430 |
| Installation by proxy, when..... | 346 |
| Must be elected and installed..... | 362 |
| Re-elected, must be installed..... | 342 |
| Elected by a majority of those present..... | 474 |
| Installed, cannot resign..... | 191 |
| Of chartered lodge may also hold office in lodge U. D..... | 186 |
| Deacon, being installed, cannot limit..... | 412 |
| Any Past Master may install..... | 343 |
| In honor bound to fill office he accepts..... | 466 |
| No right to tell number of blackballs..... | 501 |
| OLD AGE. | |
| Sixty-one is not..... | 518 |
| OPENING. | |
| Lodge must be opened on third degree..... | 481 |
| OPINIONS. | |
| Does not attempt to control religious or political opinions.. | 8 |
| ORPHAN ASYLUM. | |
| Directors attending Grand Lodge paid expenses..... | 546 |
| Committee need not report no collection..... | 383 |
| OTHER ORDERS. | |
| Embezzling funds of, properly triable by lodge..... | 571 |
| PARTIES. | |
| Not to be given in lodge rooms..... | 296 |
| PASSING. | |
| Ballot may be had on..... | 167, 415 |
| PAST MASTER. | |
| Chapter—not entitled to recognition as such in lodge..... | 164, 476 |
| Virtual and actual..... | 164 |
| When may preside..... | 71 |
| When may open lodge..... | 316 |
| May install officers..... | 343 |

SECTION

| | |
|---|---------------|
| Any may qualify and install Master-elect..... | 28 |
| PAST MASTER'S DEGREE. | |
| Not essential to preside over lodge..... | III |
| Embraced in Royal Arch Chapter..... | 28 |
| Cannot be conferred in Subordinate Lodge..... | 28 |
| PAST GRAND OFFICER. | |
| Non-affiliate not entitled to seat in Grand Lodge..... | 347 |
| PENAL JURISDICTION. | |
| Over resident Masons not members..... | 253 |
| Lodge has, as well as territorial | 480 |
| PENSIONER. | |
| May apply for degrees..... | 518 |
| PETITION FOR AFFILIATION. | |
| Dimit must accompany..... | 123 |
| Lodges U. D. cannot receive | 124, 131 |
| Withdrawn only by consent of lodge..... | 192 |
| Cannot be withdrawn | 549 |
| Need not live in jurisdiction..... | 455 |
| Rejected cannot demand that charges be preferred against him or that he be admitted..... | 535 |
| Status of rejected..... | 259 |
| May be presented as often as rejected..... | 532 |
| Rejected non-affiliate may petition that or any other lodge.. | 550 |
| PETITION FOR DEGREES. | |
| For the three degrees of Masonry | 45, 167 |
| Cannot be withdrawn after reference to committee..... | 70 |
| Cannot be withdrawn..... | 165, 306, 365 |
| When may be withdrawn | 165 |
| Lies over one month..... | 251, 302, 489 |
| Received from party who cannot write his name | 151 |
| Ministers of the Gospel must pay fees..... | 153 |
| Not received from non-resident..... | 345 |
| Cannot be received from person residing in another lodge's jurisdiction..... | 336 |
| May be received from soldier absent in army..... | 122 |
| Candidates must have fixed residence..... | 139 |
| Twelve month's residence necessary..... | 217 |
| Cannot be acted on at Special Communication..... | 99, 447 |
| Wrongfully acted on, lodge should pay fees to proper lodge | 144 |
| Cannot be acted on at meeting when presented..... | 140 |
| Unfavorable report does not stop action..... | 257 |
| Single blackball rejects | 40 |
| Non-age grounds for adverse report..... | 306 |
| Vote on cannot be questioned | 305 |

| | SECTION |
|---|--------------------|
| Rejected, must get lodge's consent | 255 |
| Rejected petition cannot be acted upon until consent of rejecting lodge be had..... | 255, 337 |
| Rejected cannot be renewed in twelve months | 193, 260 |
| PETITIONER FOR DEGREES. | |
| Must be of full age..... | 565 |
| Lawful age..... | 482 |
| Must be twelve months a resident..... | 416, 511, 513, 516 |
| Must personally sign petition | 436 |
| Man who cannot read or write eligible..... | 454 |
| Living nearer Virginia line may petition lodge in that State | 467 |
| Virginian may petition North Carolina lodge when..... | 478 |
| Resident six months in two lodges may petition either..... | 431a |
| Petition lies over one month..... | 544 |
| Names should not be printed on notice of meeting..... | 542 |
| Sojourner cannot become | 377, 440, 445 |
| Masonic residence same as civil | 539 |
| Only two ballots can be had..... | 500, 503 |
| Each member present must vote to elect | 547 |
| Two years enlistment in army does not affect eligibility..... | 539 |
| Names of rejected not to be published | 76 |
| Ministers of Gospel must pay fees for..... | 386, 483 |
| Clandestine may become..... | 581 |
| Mained not received | 281 |
| Not of necessity a citizen..... | 410 |
| Elected and lodge becomes defunct, can get degrees from successor lodge..... | 395, 506 |
| Jurisdiction in another lodge, must have unanimous consent | 450, 453 |
| Must present himself in six months..... | 592 |
| Total deafness will debar..... | 559 |
| Unfavorable ballot cannot be questioned..... | 551 |
| Dispensation granted returning money, he objecting to degrees being given another..... | 510 |
| Rejected in another lodge's jurisdiction must get consent.... | 425, 564 |
| Must be able to make signs..... | 363 |
| Non-age sufficient reason for blackball | 502 |
| Bowlegs do not render ineligible | 580 |
| White swelling does not disqualify..... | 473 |
| Loss of one eye does not disqualify | 554 |
| Loss of two fingers on left hand eligible..... | 524 |
| Pensioner, not physically deformed, sixty-one years of age, eligible | 518 |
| Crippled with white swelling ineligible..... | 578 |
| Double hair lip ineligible | 576 |

| | SECTION |
|---|-------------------------------|
| Loss of part of shoulder bone..... | 363 |
| Loss of leg ineligible..... | 180, 451, 548a, 574 |
| Loss of leg below knee ineligible..... | 393, 529 |
| Loss of arm, ineligible..... | 180, 561 |
| Loss of either foot disqualifies..... | 494, 497 |
| Loss of left hand disqualifies..... | 493, 494, 497 |
| Loss of right thumb, and part of two fingers, ineligible..... | 429 |
| Loss of right thumb and three fingers ineligible..... | 575 |
| Loss of all fingers on right hand, ineligible..... | 577 |
| Loss of right hand..... | 560 |
| Stiff knee renders ineligible..... | 394, 451 |
| Unable to bend left knee ineligible..... | 579 |
| PETITION FOR LODGE U. D. | |
| Dimits must accompany..... | 208 |
| Signers must dimit when charter granted..... | 183 |
| Signers retain former affiliation pending application..... | 183 |
| PETITION FOR RESTORATION. | |
| Rejected, cannot be renewed for twelve months..... | 534 |
| Lies over one month..... | 514 |
| PHYSICAL QUALIFICATIONS. | |
| Maimed candidates not received..... | 119, 121 |
| Maimed candidates, when admitted..... | 65 |
| Loss of one eye does not disqualify..... | 554 |
| Bowlegs do not disqualify..... | 580 |
| What disqualifies..... | 289 |
| Total deafness debars..... | 559 |
| Loss of part of shoulder bone..... | 353 |
| Double hair lip, ineligible..... | 576 |
| White-swelling, one leg shorter, ineligible..... | 473 |
| Loss of right arm ineligible..... | 150 |
| Loss of arm, ineligible..... | 180, 561 |
| Loss of two fingers on left hand eligible..... | 524 |
| Loss of left hand ineligible..... | 493, 494, 497 |
| Loss of right thumb and two fingers ineligible..... | 429 |
| Loss of right thumb and three fingers, ineligible..... | 575 |
| Loss of right hand ineligible..... | 560 |
| Loss of all fingers ineligible..... | 577 |
| Crippled with white-swelling and getting worse, ineligible..... | 578 |
| Loss of either foot disqualifies..... | 494, 497 |
| Unable to bend left knee, ineligible..... | 579 |
| Stiff knee, ineligible..... | 391, 451 |
| Loss of leg disqualifies..... | 180, 393, 451, 529, 548a, 574 |
| POINT OF ORDER. | |
| Decided by Master..... | 323 |

| POLITICAL OFFENSES. | SECTION |
|---|---------------|
| Desertion from army is | 126 |
| Cannot be tried in lodge..... | 126 |
| POLITICAL VIEWS. | |
| Masonry does not attempt to control..... | 8 |
| PORTRAITS OF GRAND MASTERS. | |
| Grand Secretary and Grand Treasurer to obtain | 138 |
| PREFERRING CHARGES. | |
| How and when done..... | 404 |
| PRESIDE. | |
| Master may call anyone to | 344 |
| PRESIDING OFFICER. | |
| Senior Warden cannot call communication if Master in lodge jurisdiction..... | 428 |
| PRESENT. | |
| All must vote..... | 325 |
| PRINCIPLES OF MASONRY. | |
| Cipher work forbidden..... | 170 |
| PROCEEDINGS. | |
| To contain charter..... | 155 |
| Permanent resolves of the Grand Lodge to be printed with | 25 |
| PROCESSION. | |
| Non-affiliate not entitled to join in..... | 117 |
| PROFANE. | |
| Lodge called off when testifying..... | 310 |
| Evidence of received on trials..... | 300 |
| Counsel may be..... | 319 |
| PROFANITY. | |
| High Masonic Crime..... | 172, 226, 238 |
| Sufficient for blackball..... | 198 |
| PROFICIENCY. | |
| Maimed candidates must be able to make..... | 65 |
| Must be shown in open lodge before advancement..... | 149 |
| Master judge of..... | 531 |
| PROPERTY. | |
| Lodge taking property of defunct lodge takes candidates..... | 506 |
| Of defunct lodge belongs to Grand Lodge..... | 400 |
| PROSECUTOR. | |
| Master can also preside | 504 |
| Appeal by, not sustained..... | 235 |
| PRO TEM. APPOINTMENTS. | |
| Need not be installed..... | 426 |
| PROXY. | |
| Cannot act for exceeding three lodges in Grand Lodge..... | 38 |
| Must be in writing..... | 39, 242 |

| | SECTION |
|--|--------------------|
| Masonic Temple Committee proxy of Grand Lodge..... | 573 |
| Officer may be installed by proxy..... | 175, 346, 364, 430 |
| Cannot sign petition for degrees..... | 436 |
| Cannot sign By-laws..... | 184 |
| PYTHAGORAS LODGE (G. L. OF HAMBURG, IN N. Y. CITY). | |
| Edict of non-intercourse..... | 58, 82 |
| PUNISHMENT. | |
| Corporal punishment cannot be inflicted..... | 8a |
| Fines cannot be imposed for non-attendance..... | 47 |
| Suspension three years upheld..... | 91 |
| Grand Lodge may reduce..... | 277 |
| QUORUM. | |
| Seven members of lodge..... | 530 |
| QUEENSLAND. | |
| Grand Lodge of recognized..... | 591 |
| RAISING. | |
| One at time..... | 521, 567 |
| Ballot may be had on..... | 167, 415 |
| RE-BALLOT. | |
| Cannot be had after close of meeting..... | 448 |
| Cannot be had until twelve months expire..... | 446 |
| Dispensation will not issue for re-ballot on rejected candi- date..... | 399 |
| RECEPTION OF CANDIDATE. | |
| One at a time..... | 521, 567 |
| RECOGNITION. | |
| Denied any body whose jurisdiction conflicts or interferes with that of regular Grand Lodges..... | 73 |
| RECONSIDERATION. | |
| None of ballot..... | 338 |
| Of second ballot can be had..... | 503 |
| Definite suspension cannot be..... | 214 |
| None of acquittal, cannot be reconsidered..... | 114 |
| RECORDS. | |
| Destroyed by fire..... | 297 |
| REFERENCE COMMITTEE. | |
| Lodge may withdraw matter from..... | 361 |
| REFRESHMENT. | |
| Lodge at, trial cannot be had..... | 86 |
| REFRESHMENTS. | |
| Discontinuance recommended..... | 22 |
| REGULAR COMMUNICATION. | |
| Had only at time prescribed in By-laws..... | 452, 526 |
| General business should be transacted at..... | 472 |

| REJECTED. | SECTION |
|---|--------------------|
| For advancement candidate may apply any time thereafter | 520 |
| REJECTION. | |
| Profanity or drunkenness sufficient for..... | 198 |
| Of petition of non-affiliate no bar to applying another lodge | 491, 532 |
| Must get consent of lodge rejecting non-affiliate before he apply elsewhere, unless removes..... | 469 |
| REINSTATEMENT. | |
| Payment of dues reinstates..... | 562 |
| Two-thirds vote reinstates suspended Mason..... | 239, 240 |
| Notice to be given..... | 110 |
| REJECTED PETITIONER FOR DEGREES. | |
| Cannot be recognized here, when receiving degrees else- where..... | 377 |
| Consent of rejecting lodge must be had before applying to second lodge..... | 255, 337, 425, 564 |
| Must wait twelve months before repitioning..... | 193, 260 |
| RELIEF. | |
| Non-affiliate not entitled to..... | 117 |
| RELIGION. | |
| Belief in authenticity of Holy Scriptures..... | 36 |
| Lodges no right to connect Masonry with..... | 8 |
| RE-MARRIAGE OF MASON'S WIDOW. | |
| Forfeits claim for Masonic assistance | 304, 477 |
| REMITTING OF FEES. | |
| Cannot be done for ministers of the Gospel..... | 483 |
| REMOVAL OF LODGE. | |
| Majority vote removes to another part of same town..... | 522 |
| What governs | 212 |
| Majority with Master's assent..... | 212 |
| How effected—two-thirds..... | 55 |
| Two-thirds vote, Master's assent not necessary..... | 212 |
| REMOVAL FROM STATE. | |
| Person resident in another State, dimitted Mason, cannot be tried by former lodge here..... | 405 |
| REQUEST. | |
| No charge for conferring degrees by..... | 258 |
| RESCIND. | |
| Action restoring suspended Mason cannot be rescinded..... | 543 |
| RESIDENCE. | |
| Not changed by absence in army..... | 122 |
| Twelve months necessary..... | 217, 511, 513, 516 |
| Masonic is same as civil..... | 539 |
| Party claiming no, is sojourner..... | 100 |
| May be under two lodges..... | 431a |

| | SECTION |
|---|---------------|
| Immaterial in petition for affiliation..... | 423, 455, 519 |
| Twelve months not required for affiliation..... | 423, 455, 519 |
| Twelve months lacking must have consent of other lodge..... | 511, 513, 516 |
| When Virginian may petition North Carolina lodge..... | 478 |
| Mailing to last place of is legal notice..... | 334 |
| REPORT. | |
| Must be had from committee before ballot on petition..... | 508 |
| REPRIMAND. | |
| Single act of drunkenness calls for..... | 351, 372, 421 |
| RESIDENT MASONS. | |
| May be tried by nearest lodge..... | 35 |
| Returned by lodges but not printed..... | 31, 33 |
| RESIGN. | |
| Mason should resign from any office he cannot fill..... | 466 |
| RESIGNATION. | |
| Officer cannot..... | 449 |
| Master and Wardens cannot..... | 294 |
| RESOLUTIONS. | |
| Any conflicting permanent resolutions to be submitted to Grand Master's decision..... | 25 |
| Permanent to be printed with Proceedings..... | 25 |
| RESTORATION. | |
| Grand Lodge may restore..... | 266, 366 |
| By Grand Lodge confers membership in lodge..... | 78 |
| May be to lodge or to good standing only..... | 588 |
| Complete when definite suspension expires..... | 81 |
| Petition for cannot be withdrawn..... | 365, 514 |
| From member of defunct lodge..... | 348 |
| Charter restored restores members to good standing..... | 486, 541 |
| Cannot afterwards be rescinded..... | 543 |
| Non-payment of dues..... | 248, 385, 390 |
| Must be to lodge acting in matter, even if removed from its jurisdiction..... | 569 |
| Petition lies over one month..... | 514 |
| Mason seeking may apply as often as desires..... | 532 |
| Rejected cannot be renewed for twelve months..... | 534 |
| Unanimous vote of lodge necessary..... | 154, 197, 303 |
| RETURNS. | |
| What to contain..... | 26 |
| Made by lodges..... | 24 |
| Printed with Proceedings..... | 26 |
| Failure to make and pay dues for two years forfeits charter..... | 24 |

| RETURN OF REGISTERED LETTER. | SECTION |
|--|----------|
| No evidence of receipt of summons, for which disobedience he was expelled | 536 |
| REVERSAL OF JUDGMENT. | |
| Grand Lodge may reverse..... | 372 |
| RIGHT LEG. | |
| Loss of four inches below knee ineligible | 529 |
| RIGHTS OF MASONRY. | |
| Grand Lodge may restore to | 366 |
| RIGHTS AND BENEFITS OF. | |
| Majority vote restores suspended Mason to..... | 243 |
| ROMAN CATHOLIC CHURCH. | |
| Mason joining should be permitted to dimit..... | 278 |
| ROYAL ARCH CHAPTER. | |
| Legally constituted Masonic bodies..... | 28 |
| Past Master of (virtual) not recognized as such in lodge | 164, 476 |
| Members at funerals noted as Masons present..... | 213 |
| ST. JOHN'S COLLEGE. | |
| Resolution..... | 206 |
| SCRIPTURES. | |
| Selections may be chanted instead of read..... | 358 |
| SCOTTISH RITE. | |
| No power to establish Symbolic Lodges in Louisiana..... | 74 |
| No power to organize lodges..... | 59 |
| Who claim power to organize Symbolic Lodges in United States are clandestine..... | 59 |
| SEAL OF LODGE. | |
| Affixed to correspondence with Grand Master..... | 112 |
| Secretary uses by order of Master..... | 360 |
| Affixed to letter to sister lodge..... | 161 |
| When need not be attached..... | 177 |
| Must be attached to make legal..... | 203 |
| Attached to notice..... | 203 |
| Attached to summons..... | 330 |
| Attached to dimit..... | 331 |
| SEAT IN GRAND LODGE. | |
| Non-affiliate not entitled to..... | 347 |
| SECOND BALLOT. | |
| Cannot be reconsidered..... | 503 |
| SECRECY OF BALLOT. | |
| Must be maintained..... | 435 |
| Unmasonic to disclose..... | 176 |
| Cannot be questioned..... | 168 |
| SECRETARY. | |
| Directed by Master in affixing seal..... | 360 |

| | SECTION |
|---|---------------|
| Should affix seal to letter to other lodges..... | 161 |
| No right to issue summons except by order of Master..... | 285 |
| Notifies accused of charges..... | 211 |
| Should issue summons..... | 330 |
| No right to drop from roll..... | 408 |
| Removing, office is filled pro tem..... | 426 |
| Notes Royal Arch Masons at lodge meeting as Masons..... | 213 |
| SECRETS OF FREEMASONRY. | |
| Threat to expose is Masonic offense..... | 91 |
| SECT OR CREED. | |
| Unknown to Masonry..... | 278 |
| SEEING. | |
| Loss of sense of, disqualifies..... | 289 |
| SENIOR WARDEN. | |
| Succeeds to Master's office..... | 89 |
| No right to call Special Communication, Master in jurisdiction..... | 428 |
| SENTENCE. | |
| Reduced | 277 |
| May be changed by Grand Lodge..... | 391 |
| SERVICE OF CHARGES. | |
| Must be made when address known..... | 190 |
| May be accepted..... | 527 |
| SEVEN. | |
| Members a quorum..... | 530 |
| Lodge must have seven members..... | 400 |
| SHOULDER BONE. | |
| Loss of part does not disqualify petitioner | 363 |
| SIGNING NAME TO PETITION. | |
| Cannot be by proxy..... | 436 |
| May be by mark | 151 |
| SIGNING BY-LAWS. | |
| Must be done when raised..... | 160, 512, 525 |
| Cannot be by proxy..... | 184 |
| Not needed when excluded person is restored to membership | 409 |
| Must sign those of lodge electing..... | 582 |
| Failure to makes non-affiliate | 409 |
| SITTING IN LODGE ROOM. | |
| Is lawful information | 163 |
| SIX MONTHS. | |
| Petitioner for degrees must present himself in | 592 |
| SLANDER. | |
| Of brother Mason is Unmasonic conduct..... | 275 |

| SOJOURNER. | SECTION |
|--|---------------|
| Cannot petition for degrees..... | 377, 440, 445 |
| Soldier in army is not..... | 122 |
| Resident of another jurisdiction is..... | 100 |
| Party claiming no residence is..... | 100 |
| SOLDIER. | |
| Is not a sojourner..... | 122 |
| SPEAK. | |
| Any member may..... | 323 |
| SPECIAL COMMUNICATION. | |
| For degree work must be opened on Master Mason's degree | 481, 496 |
| Cannot be called by Senior Warden, Master in jurisdiction | 428 |
| Petition for degrees cannot be acted on at..... | 447 |
| SPURIOUS MASONS. | |
| Lodges warned against | 129 |
| Not recognized..... | 199, 204 |
| Negro lodges are..... | 128 |
| SPECIFICATIONS. | |
| Must show in transcript..... | 228, 244, 245 |
| Must be voted on..... | 276 |
| Vote on failing, cannot sentence..... | 283 |
| STANDING. | |
| Charter of lodge arrested..... | 313 |
| STATE LINE. | |
| Determines jurisdiction of Grand Lodge..... | 379 |
| STEVENSON WORK. | |
| Custodian to preserve..... | 584 |
| STILL. | |
| Refusal to pay for is not Unmasonic conduct..... | 401 |
| STRIKING MASTER MASON. | |
| Not in self defense is Masonic offense..... | 353 |
| SUICIDE. | |
| Entitled to Masonic burial..... | 254, 523 |
| SUITS AT LAW. | |
| Not Unmasonic conduct..... | 329, 398 |
| SUMMONS. | |
| Disobedience of, a grave misdemeanor..... | 202 |
| Wilful disobedience should be punished..... | 263, 320, 413 |
| Disobedience of..... | 312, 350 |
| Illegal—charges not specified..... | 439 |
| Need not issue for members to attend a trial, they are noti- fied | 318 |
| Secretary no right to issue but by order of Master..... | 285 |
| By Master may be orally..... | 330 |
| Master may issue..... | 216 |

| | SECTION |
|---|----------|
| Master has discretionary power as to issuing..... | 333 |
| Disobeying, must prove summons was received..... | 536 |
| SUMMONED. | |
| Lodge to vote on petition of expelled Mason for restoration | 514 |
| SUNDAYS. | |
| Lodges meet for funerals and cases of charity alone..... | 72 |
| SUPREME BEING. | |
| Denial of by Grand Orient of France interdicted..... | 376 |
| SUSPENDED MASON. | |
| Status during appeal..... | 64 |
| Restored by Grand Lodge is non-affiliate Mason..... | 64 |
| Restored by Grand Lodge does not confer membership in.... | 64 |
| No right to visit..... | 286 |
| Restoration by Grand Lodge..... | 588 |
| When reinstated notices should be given..... | 110 |
| Unanimous ballot necessary..... | 303 |
| Afterwards restored, action cannot be rescinded..... | 543 |
| SUSPENSION OF MASTER. | |
| By Grand Master..... | 538 |
| Charges failing is reinstated..... | 287 |
| Not sustained restores to rights..... | 287 |
| SUSPENSION. | |
| Not complete without sentence approved by Grand Lodge.. | 315 |
| If affirmed by Grand Lodge..... | 64 |
| If reversed by Grand Lodge..... | 64 |
| To be reported..... | 26 |
| Only after trial..... | 462 |
| Charges necessary for lodge action..... | 460 |
| Holds until Grand Lodge meets..... | 64 |
| By Chapter, Council of Commandery does not affect Lodge membership..... | 64 |
| Grand Lodge may make it expulsion..... | 391 |
| For conduct since, Grand Lodge may expel..... | 280 |
| When definite time expires party is restored..... | 81 |
| Indefinite made definite..... | 277 |
| Mason under may be tried and expelled..... | 384 |
| Does not deprive of membership..... | 243 |
| Majority vote restores as a Mason..... | 243 |
| Two-thirds may reinstate..... | 239, 240 |
| Unanimous vote necessary to restore to membership..... | 240 |
| Can only be reconsidered when..... | 214 |
| Cannot be for non-payment of dues..... | 80, 558 |
| And expulsions must be reported to Grand Lodge..... | 158, 162 |
| Evidence to be reported to Grand Lodge..... | 156 |
| Cannot be inflicted for failure to pay dues..... | 152 |

| TAX. | SECTION |
|--|------------------------------|
| For contribution for benevolent objects allowed..... | 307 |
| TEACHINGS OF MASONRY. | |
| In accord with law of God..... | 432 |
| TERRITORIAL JURISDICTION. | |
| Lodge has..... | 253 |
| Right of receiving petitions..... | 403 |
| TESTIMONY. | |
| Hearsay not admissible | 352 |
| Expelled Mason, when admitted..... | 359 |
| Affidavits excluded when on trial..... | 545 |
| THIRD DEGREE. | |
| Lodge must be opened on..... | 531 |
| Labor dispensed with to examine candidates..... | 531 |
| THUMB. | |
| Loss of and three fingers of right hand ineligible..... | 575 |
| TIE VOTE. | |
| Master cannot make and break..... | 283 |
| TILER'S OATH. | |
| When visitor must take..... | 218 |
| "Not a Cerneau" inserted..... | 458 |
| TRANSCRIPT. | |
| What must show..... | 227, 228, 229, 230, 272, 371 |
| Must show specifications..... | 244, 245 |
| Must show notice to accused..... | 244, 245 |
| Must show copy of charges were furnished accused..... | 422 |
| When remanded..... | 228, 229 |
| New trial ordered because defective..... | 355 |
| TRAVEL. | |
| About to is not case of emergency..... | 302 |
| "Abroad " | 509 |
| TRIAL. | |
| Cannot be had for Unmasonic conduct generally..... | 83 |
| Lodge cannot try its Master..... | 470 |
| For controversy over dog improper..... | 406 |
| Cannot be had of suspended Mason for conduct during suspension | 84 |
| Cannot be had for threat he will blackball candidate..... | 335 |
| Should not be had for failure to answer notice of dismem- berment for non-payment of dues | 413 |
| Dimitted Mason removed to another State cannot be tried by former lodge | 405 |
| Non-payment of debt not subject of Masonic inquiry | 299, 319 |
| Refusing to pay for a still should not be tried..... | 401 |
| Allowing mother to become a county charge..... | 392 |

| | SECTION |
|---|---------------|
| Can be had for blackballing petitioner..... | 335 |
| Cannot be had for desertion from army..... | 126 |
| Single act of drunkenness..... | 372 |
| What is not a Masonic offense..... | 171 |
| Secretary notifies that charges are preferred..... | 211 |
| Cannot be had by committee..... | 85, 274 |
| Vote of acquittal cannot be reconsidered..... | 114 |
| No appeal from acquittal..... | 268, 282, 420 |
| Accuser cannot appeal from acquittal..... | 268, 282 |
| Cannot be had by lodge at refreshment..... | 86 |
| Lodge judges credibility of testimony..... | 103, 300 |
| Must be according to Masonic usage..... | 301 |
| Lodge opened on third degree..... | 310 |
| Lodge called off when profane testifying..... | 310 |
| Unnecessary when..... | 367 |
| Declared null and void..... | 274 |
| Individual offense should not be made joint..... | 237 |
| Aider or abettor cannot be tried until principal convicted.... | 105 |
| Summons must be served..... | 200 |
| Technicalities not favored..... | 380 |
| Accused has right to file answer and verify it..... | 234 |
| Accused may make statement..... | 103, 300 |
| Accused must be permitted to be heard in defense..... | 545 |
| Evidence of expelled Mason may be admitted when..... | 359 |
| Master must preside..... | 504 |
| Lodge members should be "notified" not "summoned"..... | 318 |
| Lodge may employ counsel..... | 381 |
| Counsel may be profane..... | 319 |
| Master, how tried..... | 538 |
| Master cannot grant new trial..... | 252 |
| Lodge has territorial as well as personal jurisdiction..... | 586 |
| Lodge may try resident Masons not members..... | 97, 253, 468 |
| Lodge may try members residing beyond territorial limits of lodge..... | 480 |
| Disobeying legal summons subjects to..... | 202, 262, 263 |
| Lodge may punish for false accusations..... | 264 |
| Mason bringing reproach upon Order subjects himself to.... | 485 |
| Wilful refusal to sign By-laws subjects to..... | 525 |
| Mason may be for murder..... | 374, 414 |
| Lodge may try for passing counterfeit money..... | 102 |
| Profanity and drunkenness are high Masonic crimes..... | 172 |
| Liquor selling is Unmasonic conduct..... | 261 |
| Suspended Mason may be tried..... | 384 |
| May be had of non-affiliate for offenses prior to his dismissal | 434 |

| | SECTION |
|--|----------|
| Conviction by civil courts does not convict in lodge..... | 301 |
| Charges made against accuser does not stop..... | 309 |
| Collecting money for Mason's widow and not accounting for should be tried | 195 |
| No visitors allowed to be present..... | 492 |
| Charges must be served when address known..... | 190 |
| Must be had at hour named | 439 |
| Charges and specifications must be served on accused..... | 527 |
| Cannot be had at meeting when charges are presented. | 404 |
| Return of undelivered registered letter containing sum- mons shows was never received by accused..... | 536 |
| Accused absent trial should be deferred..... | 279 |
| Pending appeal convicted Mason has no Masonic privileges | 442 |
| When committee may take evidence..... | 464 |
| After expulsion of one brother, other may be tried..... | 187 |
| Accused to be notified of taking of depositions..... | 244, 272 |
| Must be had on specifications..... | 422 |
| Specifications must be explicit | 396 |
| Specifications must be voted on..... | 276 |
| Charges not sustained..... | 266 |
| Hearsay testimony not admissible on | 352, 545 |
| Necessary for suspension..... | 462 |
| Charges necessary to suspension..... | 460 |
| Charges should be preferred..... | 143 |
| Majority vote convicts..... | 265, 283 |
| Judgment of definite suspension cannot be reconsidered..... | 214 |
| Cannot be earlier than time given in summons..... | 439 |
| May appeal to Grand Lodge | 209, 252 |
| Grand Lodge may increase or diminish sentence..... | 391 |
| Decision of lodge may be modified by Grand Lodge..... | 397 |
| Grand Lodge may reverse lodge judgment..... | 233, 283 |
| Upon appeal when reversed same is certified to lodge below for new trial..... | 95 |
| Appeal sustained reinstates brother..... | 266, 315 |
| Suspensions and expulsions to be reported to Grand Lodge.. | 158, 162 |
| Grounds of appeal must be stated in writing..... | 220, 311 |
| New trial ordered because of defective transcript..... | 355 |
| New trial granted for irregularity | 272 |
| Transcript should contain..... | 272, 371 |
| Transcript must show two-thirds vote when expelled..... | 230 |
| Charges and specifications must show in transcript..... | 228 |
| When transcript remanded..... | 228, 229 |
| Service of notice to show on transcript..... | 227 |

INDEX.

TRIAL (GRAND LODGE).

| | |
|---|-----|
| Grand Lodge may suspend Master pending | |
| Can try absconding Master at first communicat. | |
| Mason ignoring summons of Grand Master properly tried.. | 10, |

TWELVE MONTHS.

| | |
|---|-----|
| Do not apply to rejected non-affiliate applying second time | 556 |
|---|-----|

UNANIMOUS VOTE.

| | |
|---|-----|
| Not necessary removing lodge to another part of same town | 522 |
|---|-----|

UNFAVORABLE BALLOT.

| | |
|---|-----|
| Cannot be referred to sister lodge..... | 169 |
| Cannot be questioned..... | 167 |

UNFAVORABLE REPORT.

| | |
|---------------------------------------|-----|
| Does not stop action on petition..... | 257 |
|---------------------------------------|-----|

UNMASONIC.

| | |
|--|-----|
| To disclose ballot..... | 305 |
| Holding balls or card parties in hall..... | 185 |
| Disclosing secrecy of ballot..... | 176 |
| Placing emblems on advertisements..... | 108 |

UNMASONIC CONDUCT.

| | |
|---|---------------|
| Cannot be tried for generally..... | 83 |
| Disobeying legal summons..... | 278 |
| What is not..... | 266 |
| Suit at law is not..... | 329, 398, 570 |
| Bringing suit without submitting to lodge is not..... | 570 |
| Drunkenness single act..... | 351 |
| Brother declaring how he voted..... | 335 |
| Refusal to pay for a still is not..... | 401 |
| Illicit distilling is..... | 328 |
| Liquor selling is..... | 261 |
| Retailing whiskey is not..... | 566 |
| Suspended Mason may be tried and expelled for..... | 280, 384 |
| Charges must be preferred and served..... | 200 |
| Slandering brother Mason is..... | 275 |
| Conviction for sustained..... | 350 |
| Extorting money is..... | 373 |
| Charging falsely is..... | 264, 373 |
| Charges not sustained..... | 396 |

VACANCY IN OFFICE.

| | |
|--|----|
| By-laws cannot provide for election to fill..... | 89 |
| Filled only at regular elections..... | 79 |

VIRGINIA.

| | |
|--|----------|
| Grand Lodge of has concurrent jurisdiction when..... | 467, 478 |
| When resident here may petition lodge in..... | 476 |

VISITOR.

| | |
|--------------------------------------|-----|
| Non-affiliate no right to visit..... | 427 |
|--------------------------------------|-----|

| | SECTION |
|---|----------|
| Conviction by civil court members of defunct lodges not entitled to | 471 |
| Charge made again | 471 |
| Non-affiliate may once | 471 |
| Pending appeal accused no right to | 437, 438 |
| Masons from lodges illegally established cannot | 75 |
| VISITING. | |
| Non-affiliate may be taxed by lodge for | 88 |
| Mason has right of | 221 |
| No inherent right to visit | 225 |
| Member may object to admitting visitor | 222 |
| Non-affiliate not entitled to right of | 117 |
| Non-affiliate may visit once | 117, 194 |
| VISITING BROTHER. | |
| Lodge should prefer charges | 224 |
| VISITORS. | |
| Not allowed at trials | 389, 492 |
| Must take Tiler's oath | 218 |
| Must take oath not a Cerneau | 458 |
| Not received from lodges under Grand Orient of France | 376 |
| Objection to Master can inquire into | 223 |
| VOLUNTARY. | |
| Assessments must be | 528 |
| VOTE. | |
| All members entitled | 322 |
| In lodges by show of hands | 61 |
| None on due proficiency | 531 |
| All present must | 325, 547 |
| Master cannot make and break a tie | 283 |
| Majority convicts on trial | 265 |
| Majority of those present necessary to elect | 474 |
| Majority sufficient to remove lodge to another part of same town | 522 |
| Acquittal in trial cannot be reconsidered | 114 |
| Cannot be questioned on petitions for degrees of affiliation | 305 |
| WAITING TWELVE MONTHS. | |
| Does not apply to rejected non-affiliate petitioning | 556 |
| WAIVER OF JURISDICTION. | |
| Majority, not unanimous, vote necessary | 511 |
| WARDEN. | |
| Master must have served as | 247, 317 |
| When acting Master has his authority | 69 |
| Cannot resign or dimit | 294 |
| Senior succeeds on death of Master | 71 |
| Junior succeeds on death of Master and Senior Warden | 71 |

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